

Atlantic States Marine Fisheries Commission

Atlantic Striped Bass Management Board

May 13, 2014
1:00 – 5:30 p.m.
Alexandria, Virginia

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.

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|--|-----------|
| 1. Welcome/Call to Order (<i>D. Grout</i>) | 1:00 p.m. |
| 2. Board Consent | 1:00 p.m. |
| • Approval of Agenda | |
| • Approval of Proceedings from February 2014 | |
| 3. Public Comment | 1:05 p.m. |
| 4. Consider Catch and Release Fishing in the Exclusive Economic Zone | 1:15 p.m. |
| Possible Action | |
| • Law Enforcement Report (<i>K. Blanchard</i>) | |
| • Technical Committee Report (<i>C. Godwin</i>) | |
| • Advisory Panel Report (<i>K. Place</i>) | |
| 5. Technical Committee Report on Reference Points (<i>C. Godwin</i>) | 2:15 p.m. |
| 6. Consider Draft Addendum IV for Public Comment (<i>M. Waine</i>) Action | 3:15 p.m. |
| 7. Review and Populate Advisory Panel Membership (<i>M. Waine</i>) Action | 5:25 p.m. |
| 8. Elect Vice-Chair (<i>D. Grout</i>) Action | 5:25 p.m. |
| 9. Other Business/Adjourn | 5:30 p.m. |

The meeting will be held at the Crown Plaza, 901 North Fairfax Street, Alexandria, VA 22314; 703-683-6000

Vision: Sustainably Managing Atlantic Coastal Fisheries

Atlantic States Marine Fisheries Commission

MEETING OVERVIEW

Atlantic Striped Bass Management Board Meeting

Tuesday, May 13, 2014

1:00 – 5:30 p.m.

Alexandria, Virginia

Chair: Doug Grout (NH) Assumed Chairmanship: 02/14	Technical Committee Chair: Charlton Godwin (NC)	Law Enforcement Committee Rep: Kurt Blanchard (RI)
Vice Chair: Vacant	Advisory Panel Chair: Kelly Place (VA)	Previous Board Meeting: February 4, 2014
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 February 2014 Meeting

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 Catch and Release Fishing in the Exclusive Economic Zone (1:15 – 2:15 p.m.)

Possible Action

Background

- At its February 2014 meeting, the Board discussed catch and release fishing in the EEZ and considered a potential recommendation to NOAA Fisheries for regulatory changes through the proposed draft addendum.
- Before moving forward with inclusion of this recommendation in the draft addendum, the Board requested information from the Law Enforcement Committee, Technical Committee and the Advisory Panel regarding the overall impacts that may occur if the Exclusive Economic Zone (EEZ) was opened to catch and release fishery for striped bass.
- The Law Enforcement Committee reviewed enforcement cases regarding fishing activity in the EEZ (**Briefing Materials**).
- The Technical Committee commented on the biological implications of a potential catch and release fishery in the EEZ (**Briefing Materials**).
- The Advisory Panel considered how the striped bass fishery would change in terms of fishing effort if the EEZ was open to catch and release fishing for striped bass (**Briefing Materials**).

Presentations

- Law Enforcement Report by K. Blanchard
- Technical Committee Report by C. Godwin
- Advisory Panel Report by K. Place

Board Actions for Consideration

- Consider inclusion of a recommendation to NOAA Fisheries in Draft Addendum IV

5. Technical Committee Report on Reference Points (2:15 – 3:15 p.m.)**Background**

- At its February 2014 meeting, the Board tasked the Technical Committee with developing separate reference points for the Chesapeake Bay. (**Supplemental Materials**)

Presentations

- Technical Committee Report by C. Godwin

6. Consider Draft Addendum IV for Public Comment (3:15 – 5:25 p.m.) Possible Action**Background**

- The 2013 Striped Bass Stock Assessment recommended changes to the fishing mortality (F) reference points so that they are consistent with the spawning stock biomass reference points.
- Results of the benchmark stock assessment also showed that F in the terminal year (2012) was above the F target, and spawning stock biomass has been steadily declining below the target since 2006.
- As a result, the Board initiated development of Draft Addendum IV to consider changes to the fishing mortality reference points and potential management options to reduce fishing mortality to a level that is at or below the target (**Supplemental Materials**).

Presentations

- Overview of Draft Addendum IV for public comment by M. Waine

Board Actions for Consideration

- Approve Draft Addendum IV for public comment.

7. Review and Populate Advisory Panel Membership (5:25 p.m.) Action**Background**

- William Edward Hall Jr. from VA, and Kyle Douton from Connecticut have been nominated to the Striped Bass Advisory Panel (**Briefing Materials**)

Presentations

- Nominations by M. Waine

Board actions for consideration at this meeting

- Approve nomination.

8. Elect Vice Chair (5:25p.m.) Action**Background**

- The vice chair seat for the Atlantic Striped Bass Board is currently vacant.

Board actions for consideration at this meeting

- Elect Vice Chair

9. Other Business/Adjourn

**DRAFT PROCEEDINGS OF THE
ATLANTIC STATES MARINE FISHERIES COMMISSION
ATLANTIC STRIPED BASS MANAGEMENT BOARD**

**Crowne Plaza - Old Town
Alexandria, Virginia
February 4, 2014**

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. **Move to accept the 2013 FMP Review** (Page 13). Motion by Pat Augustine; second by Michelle Duval. Motion carried (Page 13).
3. **Motion to adjourn** by consent (Page 15).

ATTENDANCE

Board Members

Patrick Keliher, ME (AA)	Tom Fote, NJ (GA)
Terry Stockwell, ME, Administrative proxy	Leroy Young, PA, proxy for J. Arway (AA)
Rep. Walter Kumiega, ME (LA)	Mitchell Feigenbaum, PA, proxy for Rep. Vereb (LA)
Steve Train, ME (GA)	Bernie Pankowski, DE, proxy for Sen. Venables (LA)
G. Ritchie White, NH (GA)	Roy Miller, DE (GA)
Doug Grout, NH (AA)	David Saveikis, DE (AA)
Rep. Sarah Peake, MA (LA)	John Clark, DE, Administrative proxy
Paul Diodati, MA (AA)	Tom O'Connell, MD (AA)
Bill Adler, MA (GA)	Russell Dize, MD, proxy for Sen. Colburn (LA)
Bob Ballou, RI (AA)	Bill Goldsborough, MD (GA)
Mark Gibson, RI, Administrative proxy	Rob O'Reilly, VA, proxy for J. Bull (AA)
David Borden, RI, proxy for B. McElroy (GA)	Kyle Schick, VA, proxy for Sen. Stuart (LA)
Rick Bellavance, RI, proxy for Sen. Sosnowski (LA)	Bill Cole, NC (GA)
David Simpson, CT (AA)	Michelle Duval, NC, proxy for L. Daniel (AA)
Lance Stewart, CT (GA)	Martin Gary, PRFC
James Gilmore, NY (AA)	Steve Meyers, NMFS
Pat Augustine, NY (GA)	Mike Millard, USFWS
Russ Allen, NJ, proxy for D. Chanda (AA)	

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

Ex-Officio Members

Charlton Godwin, Technical Committee Chair

Kelly Place, Advisory Panel Chair

Staff

Robert Beal
Toni Kerns
Kate Taylor

Mike Waine
Katie Drew

Guests

Wilson Laney, USFWS
Derek Orner, NOAA
Cheri Patterson, NH F& G
Michael Petony, NMFS
Mike Luisi, MD DNR
Beth Versek, MD DNR
Harry Hornick, MD DNR
Angela Giuliano, MD DNR
Alexei Sharov, MD DNR
Ken Hastings, Mason Springs Conservancy
Charles Lynch, NOAA
Tom Hoopes, MA DMF
Arnold Leo, E. Hampton Baymens Assn.
Ed Liccione, CCA Maryland
Michael Nyalko, CCA

Jeff Kaelin, Lund's Fisheries
Dan McKiernan, MA DMF
Bruno Vasta, S. MD/MSSA
Andrew Turner, NOAA
Raymond Kane, CHOIR
Brandon Muffley, NJ DFW
Tom Baum, NJ DEP
Kelly Denit, NMFS
Joseph Gordon, PEW Trusts
Aaron Kornbluth, PEW Trusts
Katherine Denel, PEW Trusts
Ed O'Brien, MD
Ron Lukens, Omega Protein
Capt. Pete Daulberg, CCA
Emilie Franke, Chesapeake Research Cons.

The Atlantic Striped Bass Management Board of the Atlantic States Marine Fisheries Commission convened in the Presidential Ballroom of the Crown Plaza Hotel Old Town, Alexandria, Virginia, February 4, 2014, and was called to order at 10:50 o'clock a.m. by Chairman Thomas O'Connell.

CALL TO ORDER

CHAIRMAN THOMAS O'CONNELL: Welcome, everybody. My name is Tom O'Connell. I'm from Maryland and Chair of the Striped Bass Management Board.

APPROVAL OF AGENDA

CHAIRMAN O'CONNELL: Everybody should have an agenda; and our first order of business is to approve that agenda. Are there any comments in regards to modifications to the agenda? Mike.

DR. MIKE MILLARD: Under other business, I'd like to offer a brief update of the Cooperative Winter Tagging Cruise from our colleague, Wilson Laney.

CHAIRMAN O'CONNELL: Is there any objection to that? All right, we will add that. Are there any other suggested changes to the agenda? All right, seeing none, the agenda stands approved.

APPROVAL OF PROCEEDINGS

CHAIRMAN O'CONNELL: Our next item is approval of our proceedings from the October 2013 meeting. Are there any suggested changes to those proceedings? Seeing none, the October 2013 proceedings will stand approved.

PUBLIC COMMENT

CHAIRMAN O'CONNELL: Next we have a public comment period. This is an opportunity for the public to provide input to the board on items that are not on the agenda. As time allows, if there are decisions being made, we will try to offer time for the public comment; but again that will be time-based. We do have one person signed up, Mr. Ken Hastings. If it is an item that is not on the agenda, please come up.

MR. KEN HASTINGS: My name is Ken Hastings. I'm a recreational fisherman from Maryland. I am here today representing Stripers Forever. As many of you may know, Stripers Forever advocates for game fish status to end the commercial exploitation of Atlantic striped bass. We believe, supported by some fairly strong economic studies, that the socio-economic value of live striped bass far exceeds their value as food.

Substituting recreational priorities for commercial priorities would create an inherent conservation ethic because it takes more fish to have a good recreational fishery than it does to have a good commercial fishery. We believe that the policies and priorities of this board are directly responsible for the decline of striped bass fishing and that they continue to impede any progress toward restoration of the fishery.

For example, allowing the Chesapeake Bay jurisdictions to increase the exploitation of the 2011 year class in the face of possibly drastic cuts for everyone else in the future is irresponsible at best. Every fish we eat today will not join the spawning stock biomass in 2016. I'm not sure no one saw this coming. Certainly the signs were there. I remember back to the Boston Annual Meeting that this commission chose to ignore the fact that data uncertainties can cut both ways.

For some reason, the glass half full crew won that battle; we'd probably have more fish than the data says when in fact you apparently had a lot less fish than you thought. This encourages you to ignore even the admonishments of one of your own. I was at the Georgia meeting. I think the highlight of my visit to ASMFC in Georgia was the comments made by Commissioner Diodati when he made an eloquent plea for something to happen for striped bass.

Plummeting fish abundance and loss of recreational fishing economy and opportunities have become the norm and produced some of the worse striped bass fishing in years. You have other chances; but each time you kick the can down the road a little further you will have fewer fish. If you're really serious about

restoring something and getting good recreational fishing again, it is time to stop kicking the can. Thank you.

CHAIRMAN O'CONNELL: Thank you, Mr. Hastings. Is there anybody else that didn't sign up that would like to provide input to the board at this time? All right, seeing none, we're going to continue with the agenda. I'm going to hand it over to Mike Waine in a second; but as you recall at the last meeting in October, the board approved the stock assessment, set forth some follow-up actions to an addendum for reference points, tasked the technical committee to look at reference points for stock-specific areas like the Chesapeake Bay and then to assess where the fishery is as we try to work our way back, if needed, to the target levels of fishing mortality. Mike is going to provide an overview and then get a report from the technical committee.

DRAFT ADDENDUM IV FOR PUBLIC COMMENT

MR. MICHAEL WAINE: As Mr. O'Connell just mentioned, we have two separate addendums here. The first one is for this meeting. It is Draft Addendum IV and it deals with reference points. Sort of reiterating what Tom said, we had the benchmark stock assessment results that were presented at the annual meeting in 2013.

Based on those results, the board initiated two addenda. The first is for reference points that include both the coast-wide stock and the stock-specific reference points for the Chesapeake Bay and the Albemarle Sound/Roanoke River; and then a follow-up addendum which would deal with the management options to reduce F to a level at or below the target.

These are currently two separate documents. The timeline would the board is reviewing the draft addendum for public comment at this meeting. We would take the document out for public hearings in February through April, bring it back for the board in May for final approval, with implementation upon approval at that meeting.

The purpose of this document is that there is currently a mismatch between fishing mortality and spawning stock biomass reference points. The fishing mortality reference points are based on achieving maximum sustainable yield while the spawning stock biomass reference points are based on the historical level of SSB in 1995 when the stock was declared recovered.

The benchmark assessment recommended that new F reference points be adopted, and those are set to stabilize SSB at the 1995 level; so what fishing mortality should we be fishing at to achieve 1995 SSB? The projections are used to estimate what that fishing mortality rate is. The second part of this is that the benchmark assessment didn't recommend stock-specific reference points for those producer areas; and so the board tasked the technical committee to develop those stock-specific reference points for this document.

A little bit of background; Amendment 6 that was approved in 2003 established an Fmsy threshold of 0.34 and an F target of 0.30, which is the 24 percent exploitation rate. The target F for the Chesapeake Bay stock was reduced to 0.27 to account for the harvest of smaller fish in that area.

Additionally, the Chesapeake Bay uses a harvest control model to set catch quotas that are just below that F target of 0.27. There will be some further background in the technical committee report. The management options in this document are really just the reference point options. The first is for the coastal migratory stock.

Option 1 is status quo, so the F reference points would continue to be based on MSY. Option 2 is F reference points would be consistent with SSB reference points; and that would result in a new threshold of 0.219 and a new target of 0.180.

Section 3.2 deals with the stock-specific reference point; and the technical committee report has some requests for more guidance on the intent of the stock-specific reference points for the board. For this portion I will turn it over

to Charlton Godwin, our Technical Committee Chair.

TECHNICAL COMMITTEE REPORT ON REFERENCE POINTS

MR. CHARLTON GODWIN: The technical committee met two times via conference call. We discussed developing new reference points for the Chesapeake Bay and by default the Albemarle Sound/Roanoke Stock. The current model treats the striped bass population as a single coast-wide stock. Historically, as Mike pointed out, the Chesapeake Bay has used the harvest control model with target Fs to set their quotas.

The technical committee is requesting some more guidance on the purpose of what the Chesapeake Bay biological points will serve in the management framework. One option is to set reference points that assess the impact of the Chesapeake Bay Fleet on the coast-wide stock. Another option would be to have reference points or set a quota for the Chesapeake Bay Fleet. This would require two reference points.

To evaluate stock status, we need a reference point to measure F. The statistical catch-at-age model can provide this but not for the Chesapeake stock individually. It measures the mortality of the Chesapeake Fleet relative to the total coast-wide population. The current Chesapeake Bay quota-setting process uses tagging estimates of F, but these cannot – it is difficult to compare these to the model estimates F for the Chesapeake Bay Fleet or the model-based reference points to evaluate the overfishing status.

There is currently a disjunct between the tagging model estimates of F and the estimates of F generated from the statistical catch-at-age model. While total mortality are similar for both these methods, the tagging models consistently produce lower estimates of F; so it looks like the natural mortality from the tagging models is increased significantly or it is a factor of emigration, but currently they're not quite comparable. The technical committee really

needs more guidance on what the specific purpose of these reference points will be.

MR. WAINE: Then just to wrap up the addendum, there is compliance where a management program that would address biological reference points would be effective immediately upon approval of the addendum document because there are no specific management options. There is just a change in the reference points.

CHAIRMAN O'CONNELL: Under Agenda Item 4, there is also an item on catch-and-release fishing in the EEZ, but I would like to first address this addendum issue and then we can talk about that issue. I think the technical committee and staff are looking for guidance on a couple of issues.

The first one, obviously, is guidance for the technical committee to continue their work in looking at developing reference points for the Chesapeake Bay area. They've laid out a couple of options, and it is my understanding that those options can also be worked in conjunction with each other.

The other thing that the board should think about as we look forward to making a decision for approving this addendum to go out public comment – obviously, striped bass is one of our species that gathers a lot of public attention. As we learned through previous examples, sometimes it is helpful to not only put out an addendum with reference points but also with management options so the public can look at both of them together.

That may be an option for the board to consider, recognizing where we are with the technical committee still needing to do some work on reference points, that we can bring the reference points and the management options together in May and take that out for the public in the summertime. That would also address some of the staff resource needs to travel along the coast for doing these public hearings, but that is just an option and through conversation with staff that I wanted to make aware to the board. With that, let's open it up for some questions. Pat.

MR. PATRICK AUGUSTINE: A great job by the technical committee; a little bit of thought because you developed a possible couple of ways that we could address this. The question would be there going to be in parallel; and it would be difficult for you to select one versus the other or do you want to make – when you finally develop these options, that you want to put it back on the board to decide which way we go?

In other words, you said if we went to Option 2, you develop a second set of reference points for the Chesapeake Bay. That is the first part of the question. The second part; which would be more timely as well as accurate? We don't want to put together a partial document, rush it to get it out there and then have to go back and say, oops, we made a mistake. If they can respond to that, Mr. Chairman, I would appreciate it.

CHAIRMAN O'CONNELL: Yes, I think that is the issue that the technical committee needs to do a little more work and whether or not the board can provide enough direction to finalize this addendum and go out for public comment or have them do some work and have staff be looking at management options and come back in May.

MR. AUGUSTINE: A follow up to that; I had a brief conversation with Mike. I didn't bite him on the backside, but I think he thought I did. I was concerned when I saw the document that we got in the mail, all the work they have done, and apparently it became more convoluted and complex than my simple statement of saying, hey, guys, go do this. We got a second to it and we had nods of heads around the table.

But, my thought was that the sooner the technical committee or plan development team – I guess it would be a technical committee – can come up with a series of options that the public can take a look at to get their arms around; if we take the basic issue that we've got to reduce mortality on the larger animals and use that as a premise looking at the stock assessment – all people have looked is at that at 2015 and 2016 that the spawning stock biomass is not where

they want it to be and then a concern of crash, crash, crash is in everyone's mind.

The two things I would suggest is I would almost say if the technical committee believes that developing a separate set of mortality reference points for the Chesapeake Bay that is compatible, that makes sense, the Chesapeake Bay is treated similarly to the coast, that would be great.

Secondly, to develop a set of options, bag, size and season, and probably limit that to a very limited number, three, four or five – let's not get into five, ten, fifteen and talk about regions and that sort of thing – and we talk about a coastal the way we have; and I think what will come into play is what we're doing now is the conservation equivalency. So, if we can go along those lines as a start, I'm sure other board members might have some additional suggestions, Mr. Chairman.

MR. DOUGLAS E. GROUT: I'd like to ask a couple of questions just so that I can make sure that I understand the issue that the technical committee is bring before us. Under the current scenario that we have right now, we have a target F of 0.27, which is as I understand – and correct me if I'm wrong – was used in the harvest control model to set quota levels? No? There was no reference to F at all?

DR. KATIE DREW: The harvest control model gives you a quota based on whatever F you put in. In theory you could put in the F target of F 0.27; but in practice I think everybody who has worked on it has felt that F has been too high or perhaps not too high, but that the focus in the harvest control rule has always been on maintaining sort of a constant level of F; that sort of as it is measured by the tagging model lower than that target. So in practice although the F target is there as almost more of an upper limit, it is not – the current Fs that are going in are lower as measured relative to that target; so in practice the quota has been set on a much lower level than we would currently consider the target.

MR. GROUT: That helps clarify things immensely; that you have been using the existing tagging F measurements to go into the harvest control model. The only thing that has been in the past that F target that we have for Chesapeake Bay has really been something to measure the tagging mortality against to make sure that we were not overfishing?

DR. DREW: Yes; and I think the concern of the technical committee is that the tagging models and that model-based reference point don't line up, that you're sort of measuring them on two different scales with two different sets of assumptions; so the ability of that tagging rate to control and evaluate status we have concerns about versus using that to set a quota to control harvest that keeps it at constant levels relative to what has been done historically. I think we have more faith in that than evaluate the status.

MR. GROUT: So, the Chesapeake Bay states, are they going to maintain the current status quo for how you put what kind of fishing mortality rate you put into the harvest control model; and if that is the case, then we really don't need Option 2. We only need Option 1.

DR. DREW: Well, I think that would be up to the board in terms of is the board satisfied with how this has been going forward. Would they prefer sort of a historical proxy type approach like that to maintain what has been done in the past in which case we wouldn't need to – I think we would need to have that clarified in writing so that this process is transparent and everybody understands where these numbers are coming from versus if we do want to establish reference points, we would need to have them separate from whatever reference points we would use to monitor or evaluate status.

MR. GROUT: So then you're looking for two recommendations; one, do we want to have a target reference point for the Chesapeake Bay that we could measure fishing mortality against; and then also a recommendation from this board as to the harvest control model which would be the specific details of how the harvest control model would be utilized?

DR. DREW: Yes, essentially, with the understanding that the evaluating status is again on the coast-wide level that is the Chesapeake Bay Fleet overfishing the entire coast-wide stock because we cannot give you anything specific to the Chesapeake Bay stock; but we could tell you is it overfishing on the coast-wide level versus as we set basically a set of reference points to help us to help the Chesapeake Bay region establish a sustainable quota.

CHAIRMAN O'CONNELL: Good questions, Doug. Rob.

MR. ROB O'REILLY: I think there is a real tug of war going on here about these reference points from my understanding. I think one of the situations the technical committee talked about was this fishing mortality rate that comes from the tagging. Of course, Virginia is a guest in the harvest control model regime since 1997 along with the Potomac River Fisheries Commission; but it was the Maryland Department of Natural Resources that is the author of this model that stems back to when the fishery reopened in 1990.

But the tug of war is should you be using the target or not as Katie Drew just mentioned? Dr. Sharov is here and if you need any information, of course, he is more fluent on it, but there is a delta term in there from what I remember; so there is something that looks at the tagging F and the target. That is one comment and that needs to be looked at.

But I think also another comment is we're talking about different producer areas here. It is not simply the Chesapeake – Hudson, Delaware an Albemarle/Roanoke – so there really a big task at hand for the technical committee to go through. I can't given the start to this process – this has been going on for a while – that this won't be a pretty good challenge.

The other thing I want to mention – the last thing I want to mention is in Amendment 5 in 1995 and for Amendment 6 in 2004, it was fairly straightforward that once the coastal F had been determined and established that there was an ability to set the Chesapeake Bay target; and

there is only a target as the reference point. I hope everyone has looked back at that methodology. I've got some questions as to how that methodology went forward back then; and I hope my information helped.

Certainly, I don't think this is something that it should end up with some of the real low estimates that I heard on the order of a target of 0.062 as a target F for the Chesapeake Bay. It doesn't seem plausible. The Chesapeake Bay Fleet, whether you're looking at that or whether you're looking at the model, I think the technical committee has a challenge. The other jurisdictions are waiting as well that have producer areas. Thank.

DR. MICHELLE DUVAL: Mr. Chairman, just a quick question for either Katie or Charlton, I guess. How long has the estimate of F within the tagging model been sort of diverging from what is coming out of the catch-at-age model; how many years?

MR. GODWIN: It has probably been for the past maybe ten years now, I think. The effect of myco has been pointed to as one of the culprits for the natural mortality increase. There has been a study on that. Emigration could play a factor as well as some of the tagged-based components such as the reporting rate that go into the tagging model could play an effect on that. It has been going on for a while. As they have noted, the harvest control model has used the tagged-based F estimates as opposed to the target F in their harvest control model to set their annual quota.

MR. O'REILLY: I just wanted to follow up on that a little bit. For many years the management board listened to two types of results; one from the VPA, when the VPA was used, and now the statistical catch at age, but also tagging studies that were done. It was always a bit of struggle because there never was any clear-cut information as to which of the two really should be the benchmark to go by.

In most cases it was always thought the VAP and now SCA. I am out of touch a little bit here with this question, but the instantaneous catch

rates which is used by the Bay is also something that went through the some extent peer review and is also used as the preferred method for determining tagged-based S. Is that still the case I guess is the question?

MR. GODWIN: Yes; that is still is the case. Our CR model did go through the last SARC Review, I believe, so we still do use both of those. If you look at estimates from the two models of total mortality, fishing and natural mortality, they are fairly similar.

The disjunct really seems to be with the difficulty of estimating natural mortality of the tagged-based model – that estimate that comes out of that model; whereas, within the statistical catch-at-age model the natural mortality is an input in the model. The model does not determine that. We have in recent years – through this last assessment they did actually update some of the natural mortality at age if you remember from our last stock assessment presentation, but currently both models are still being looked at.

MR. MARK GIBSON: Mr. Chairman, I think I recall at one point Dr. Nelson from Massachusetts had a configuration of the SCA model that embedded the tagged-based estimates of mortality directly into the estimations as opposed to having them stand alone, which as Rob pointed out has always been a source of some confusion to us as to how they're comparable or not.

I'm pretty sure he developed a version of that embedded the tagged-based estimates right in there. I'm wondering if that is in fact the case and if further development of that particularly as it rates to the Chesapeake Bay Fleet, and that tagging study would allow you to start to tease out some of the questions of the stock size, what F should be fed into the harvest control model for quota calculation.

DR. DREW: Yes; Dr. Nelson was working on that, and I believe it was not for this peer review. It was for the previous one. It didn't work out, essentially. I think the model needed more development. The model really struggled out

with trying to combine that tagging input and the standard catch-at-age input; and so it is not used in the current configuration of the statistical catch-at-age model.

I think the committee really does want to move towards a model that can incorporate these individual stock dynamics. Whether that is through specifically incorporating the tagging information or whether it is through modeling these three stocks separately is something we're working towards, but it is not something that we're at right now that is ready for management use.

CHAIRMAN O'CONNELL: From my appearance of the board's discussions and no hands on the table right now, I think I'm going to have Mike just try to re-summarize the guidance that the staff and the technical committee is looking for from the board and with that hopefully we can agree upon a path forward.

MR. WAINE: Basically I think where we have been talking towards is the approach that the technical committee could further develop is actually using both; so we would have a Chesapeake Bay Fleet Reference Point that we would use to determine the status of overfishing or not and then use the tagged-based estimates of fishing mortality with the harvest control rule to be setting a quota.

It would be a combination of the two as we move forward; and the technical committee could develop that in the document if that is the approach the board wanted to proceed on. That is combined with the coastal reference points which we have that come right out of the benchmark assessment.

MR. AUGUSTINE: Mr. Chairman, could we just take a vote on that? It sounds like it is a very clear-cut approach without encumbering it with a whole bunch of other stuff. Do we need it as a separate motion or can we just agree to the direction that the technical committee suggests we go?

CHAIRMAN O'CONNELL: I guess I'll leave it up to the pleasure of the board. If there is no opposition to go forward with that approach, I don't necessarily think we need a motion. If people feel like a motion is needed, we can entertain that.

MR. AUGUSTINE: I don't think a motion is needed, Mr. Chairman, unless someone has an objection to it.

CHAIRMAN O'CONNELL: Mike, let me ask you a question. Basically what you just laid out; is that what would be accomplished with what is currently in the draft addendum?

MR. WAINE: The technical committee report lays out those two separate options which we could use in combination and combine that with what was already in the addendum, which was the coastal reference point. Now, remember, the one thing that we haven't got to is the Albemarle Sound/Roanoke River stock reference points. That was because the North Carolina assessment is still in the peer review process. Because there are still edits being made to that assessment, the technical committee didn't feel comfortable with presenting those reference points at this time; but that also be part of the task here is to incorporate those well moving forward.

CHAIRMAN O'CONNELL: What does the board think in regards to the pathway that Mike laid out?

MR. AUGUSTINE: I would suggest we do it, Mr. Chairman.

MR. GROUT: I may be wrong, but I think you're recommending that we go forward with both Option 1 and 2; correct? I would certainly support that. If we need a motion, I'd be willing to make that motion.

CHAIRMAN O'CONNELL: All right, is there any opposition from the board to proceed with that guidance to the technical committee and the PDT? All right, are you good with that, Mike? What is the board's pleasure in regards to moving this out for public comment between now and the May meeting or waiting until we

come back in May and we'd look and see how the fisheries are performing against these reference points and options that would adjust the fishery accordingly? Michelle.

DR. DUVAL: I would prefer to come back in May and review what the technical committee has come up with for both of these options as well as hopefully by then the Albemarle/Roanoke reference points. Alluding to what you laid out earlier, I think it would be wise to include draft management measures to go along with those reference points.

I know we talked about this at the last board meeting, but it would make more sense to me to save on staff time and resources and combine the change in the reference points and link that to any management changes that are needed in order to get ourselves back down to the target reference points so that the public sort of has the complete picture to look at. I would love to hear what other folks around the table think.

MR. PAUL DIODATI: I just also think that the draft addendum is lacking detail. I think that there needs to be more information for the public about potential consequences of one outcome over the other. There is really nothing in here so if someone doesn't get a chance to attend the public hearing where I'm sure we would do a thorough presentation. If they just looked at this online, I don't know what the public would make of this addendum. I think it would be very confusing. I think we need more clarification and detail in the addendum.

CHAIRMAN O'CONNELL: Good suggestion, Paul. Ritchie.

MR. G. RITCHIE WHITE: I support delaying until we have management options to be in the addendum. I think going to the public twice is a waste of resources. Actually, I think you won't get a lot of public turnout for what we have just put forward. My only concern would be that the timing of this then would still allow us to implement new regulations for the 2015 fishing season and that this would not delay that.

CHAIRMAN O'CONNELL: Yes; and it has been very clear to me as chairperson that the public and the board want to address this issue for 2015. This pathway that we're talking about will put a lot of work on staff and the board in May to have a document that can move out through the summer of meetings; but coming back in August to make some final decisions would still put us in the position to implement in '15. Followup, Ritchie.

MR. WHITE: I would just suggest then that there be enough time allowed for this board meeting at the May meeting. If there is going to be a lot of heavy lifting, that we have enough time to do it.

MR. GIBSON: I support waiting until the spring meeting. I'd really like to see what the technical committee comes back with. I'm really struggling, as I have for a decade, to wrap my brain around multiple spawning populations and geographically distinct fisheries that affect cohorts from a particular spawning population at different age groups. We've gotten by with the tools that we have gotten by with, but I still think this is an ad hoc approach what we're talking about doing here.

I would like to see what comes out of that, but I really hope that there is a strong push down the road to really produce an integrated stock – this is the most data-rich species we probably have – and an integrated stock assessment model that considers separate spawning populations but link through migrations and exposure to fishing mortality and so on. That is really where we need to get to and start addressing some of these thorny technical problems. We've muddled through pretty well with what we've had, but we need to do better down the road. Thanks.

CHAIRMAN O'CONNELL: We've heard from several – I've got Russ.

MR. RUSS ALLEN: I just wanted to say if Mark is having trouble getting his brain around this, you can imagine how the rest of us feel. I'm in full support of moving this to the May meeting and joining it up with the other addendum and moving forward.

CHAIRMAN O'CONNELL: Is there anybody who has concerns with going forward? I do see your hand back there. I think given our schedules, we're going to keep plugging forward. I'm not going to have an opportunity to provide public comment. There is going to be a lot of that opportunity going forward. I apologize for that.

All right, seeing no opposition, is the board comfortable with providing staff that guidance to continue working on this, come back in May with reference points as well as options, and then we will have that conversation with the intent to agree upon something to go out for public comment this summer? All right, that sounds good.

The next item on the agenda is an item that came up in between our meetings on catch-and-release fishing in the EEZ. It was an issue that I know Louis Daniel brought forward, and I think Michelle or Paul would like to provide a little background. Michelle.

CATCH-AND-RELEASE FISHING IN THE EXCLUSIVE ECONOMIC ZONE

DR. DUVAL: I think it was Louis' intent really that this discussion happen during the Policy Board meeting. He couldn't be here this morning. But just as background for the board's benefit, we've received some calls from the North Carolina charter fleet out of Oregon Inlet voicing some concerns about enforcement of catch-and-release fishing in the EEZ for striped bass; and that perhaps there are some inconsistencies in that enforcement up and down the coast; and that it may be that there are some folks that are using the opportunity to catch and release striped bass in the EEZ as a business opportunity and providing economic benefit.

I think Louis wanted to have a discussion about perhaps addressing that inconsistent enforcement and determining if there is a good vehicle for addressing that and whether it is an addendum or something else. Clearly, we would need to have a conversation with our partners at the National Marine Fisheries Service about that.

I don't if Paul would like to sort of fill in after that.

MR. DIODATI: I think Michelle summarized that quite well. I think there are still some unknowns about how some of the penalties are and how enforcement in the EEZ is actually conducted. I can only guess that it is a difficult type of enforcement action to carry out. I would like to hear more from enforcement about that and from our technical committee as well about what the impacts they perceive would be if we modified or requested that the federal rule be slightly modified to allow catch-and-release fishing so it is no longer an infraction to do that.

CHAIRMAN O'CONNELL: Another perspective that was brought forward in the conversation as given what we're talking about with the stock and whether or not this kind of a catch-and-release approval would result in any increased effort. There is some mortality associated with discards.

I'm thinking that this is an issue that deserves more conversation and more input from the technical committee, the law enforcement committee and probably maybe even some guidance from our advisory panel to get a sense of what of behavior change would result. The suggestion that effort would increase; we're hearing that from our fishermen in Maryland. We will continue the discussion, but I'm thinking that maybe we take this to our experts and have them come back and get their input in May. Tom.

MR. THOMAS FOTE: I was reviewing a bunch of disks that I have of old films going back to '90 of sitting on Long Beach Island with Congressman Sacks and talking about keeping the EEZ closed, remember in '96 and 2002. It has really been an ongoing situation. We need to have uniform enforcement.

I couldn't believe some of the groups that are supporting opening the EEZ. The same groups were asking us to go to one fish. I have a difficult time with that. I think we need more thought on this. It is not something to decide today; we don't have the time to do that. I

suggest we don't do anything until we have a long discussion on this, because it is a very controversial issue and always has been.

It was one of the largest public hearings I think NMFS ever has had – it was three of them in a row in New Jersey with 900 – where we got thrown out of a building because we had over 700 and they couldn't fit them in the building. The fire marshal threw us out, so I don't want to go through that again.

MR. AUGUSTINE: Mr. Chairman, the final comment would be do you think you could convene this committee some time between now and before our May meeting and come back with a preliminary report to have some idea. I'm sure enforcement has some great ideas and the advisory panel has always been real good about doing something. Maybe it would require a telephone conversation or two, conference call.

CHAIRMAN O'CONNELL: All right, there is a lot of workload on staff between now and May, but Mike said that we'll give it the best shot. I think we need to be very clear. My thought is the Law Enforcement Committee – I think what I'm hearing is that we need to get a summary of it is currently being enforced, what the penalties are; and also their feedback as to if catch-and-release fishing was allowed, what that would result for them; and for the technical committee to try to the best of their ability assess the magnitude of mortality a catch-and-release fishery could amount to; and from the advisory panel, just getting a sense of level of effort increases in the federal waters. Pat.

MR. AUGUSTINE: Maybe push it off to the August meeting. You're right, they're loaded with effort so maybe during that period of time we could put it together for the August report.

MR. WHITE: Included in that report I believe the commission wrote a letter to the Service and I think the Coast Guard asking for increased enforcement and increased penalties, I believe, and so providing the board with those letters might be helpful, too.

CHAIRMAN O'CONNELL: Thanks, Ritchie. Toni, do you have a comment?

MS. TONI KERNS: The intention of bringing this up under the addendum topic is that if we do want to make a recommendation to allow catch-and-release fishing in the EEZ, it is something that we would need to actually take out in an addendum process. If we have an addendum that is going to go out in May, then we would need to make that decision to include it or not include it in May; so pushing it off until August would not get you there.

CHAIRMAN O'CONNELL: All right, it is back to the board of priority setting. Do we feel like this is important enough to task staff to look into and come back at the May meeting as a potential management option discussion? Doug.

MR. GROUT: I agree totally that whatever comes out of this needs to be very transparent and it needs to go out to the public. It sounds like we need more information on this before we can even consider putting this in an addendum. If that means that we're going to put off considering this to another management action, I'm conformable with that at this point.

Clearly, we need that information beforehand; and if we can get it by May and decide whether to put it in, that would be ideal; but if we don't have the input of law enforcement and technical committee – and I think the AP should the benefit of that information before they meet – I think we should try to get it by May; but if not, it may have to be put off to another management action.

CHAIRMAN O'CONNELL: I think that sounds like a good approach. Tom

MR. FOTE: I agree with that approach, especially since we are probably going to go out, if I've been feeling the pulse of the board, with a couple of striped bass addendums in the next year or two, so we can include it in one of those.

CHAIRMAN O'CONNELL: I'll try to summarize this. We will do the best that we can to begin getting some input from our

various advisory bodies. If we have it for the May meeting, great, but just to manage people's expectations it may have to take more time after that. Rob.

MR. O'REILLY: I'm just reporting what I hear not just in Virginia but also the idea that if there is a measure to reduce the possession limit to one fish, there are those who are also interested in that one fish being allowed to be from any jurisdiction, federal or state waters. That is also something that is in several states that I've heard from.

Of course, this is going to be an issue for the technical committee or someone to figure out does staff or the technical committee think that there is indirect monitoring of the fish that are in federal waters, that are in the EEZ? Is there enough monitoring that you have information on those fish? That will be an important part of this report because really there is no or very little direct information from the EEZ. I think that is something that is going to be an underlying situation here as well.

MR. WHITE: I just see what was put up on the board; and it sounds like there is catch-and-release fishing in the EEZ, which is not allowed. Any fishing for striped bass in the EEZ is illegal at the present time.

CHAIRMAN O'CONNELL: The information that we got from NMFS – and Steve and correct me – their current rule does not allow any targeting or indirect targeting of striped bass. There are fishermen that are in the EEZ that are targeting bluefin tuna, for example, and will occasionally catch a striped bass and it is left to the officers to use their discretion.

Fishermen are a little concerned about that officer discretion in regards to what the penalties are. It was clarified despite some rumors that the penalty is not a felony unless it relates to like fraud or Lacey Act Violations, but it was not a felony. Those are the concerns that were raised in North Carolina that fishermen are really concerned based upon some rumors incidentally catching striped bass and what happened to them. Ritchie.

MR. WHITE: We've had some actions up our way in which people were targeting striped bass and said that they were fishing for bluefish; and the ones that had 20 pound test mono-leaders got tickets and the ones that had wire on didn't.

MR. FOTE: I was listening to Rob's statement; and I realized that would be a whole 'nother can of worms; because what you're doing is reallocating fish, you know, Back Bay fish, basically beach fish where a lot of surf fishermen, that is their only real game fish. They can't go for bluefin tuna from the beach with any surety or sharks or things like that.

If you're going to go tell them that you're going to go for one fish so you can open up the EEZ for recreational one-fish fishing, it is going to be an interesting discussion when you look at all those surf fishermen, Back Bay or Chesapeake Bay and Delaware River fishermen and Long Island Sound; so it is more complicated than just going one step at a time.

CHAIRMAN O'CONNELL: All right, Kelly wants to provide a brief comment to the board; and then we hear otherwise, we will proceed with the summary that I provided a few minutes ago.

MR. KELLY PLACE: One thing the advisory panel has been very clear on for a number of years is the great concern with the Wave 1 catches, which are totally unregulated and unmonitored in the EEZ, especially in January and February, North Carolina, Virginia, and to a lesser extent Maryland.

The advisory panel, at least most it, has been consistently calling for much stricter enforcement, much stricter penalties. At this point, now that it looks like there is some fairly strong enforcement and there have some strong penalties, though the advisory panel hasn't met for a few years, I believe that is pretty much exactly what the advisory panel, and by extension the people they represent in their various respective states, I believe that is what they wanted.

I want to give kudos to law enforcement because the magnitude of those catches in the EEZ are tremendous, especially like off Virginia I'll see a thousand boats out in the EEZ, average of three or four people on each boat; 20 to 40 pounders common; everybody limiting out; a lot of them being kept; some of them probably dying from catch and release, most would survive.

Long story short, the various sources of mortality that is engendered by that activity, which has gone on for ten years, has been completely unmonitored. The advisory panel has sort of felt that it has fallen completely under the radar in terms of the stock assessment and all the other benchmarks that are derived from that. I just want to mention it is kind of odd not only did the advisory panel get what they wanted and now maybe that is not what people wanted. I just wanted to bring that up.

CHAIRMAN O'CONNELL: Okay, Mike has agreed to cancel his vacations between now and May, and we will task this to the appropriate bodies. I think Doug had a good suggestion to try to get technical committee and law enforcement committee input before going to the advisory panel. We will do the best we can and bring it back to the May meeting and see where we are. All right, the next item on the agenda is the 2013 FMP Review and State Compliance.

2013 FMP REVIEW AND STATE COMPLIANCE

MR. WAINE: This is the 2013 FMP Review of the 2012 fishery. It got postponed from our October board meeting last year; so this is just a quick review. The status of the stock has since been updated as we had a benchmark assessment. We are not overfished and overfishing is not occurring based on the reference points that we're currently using.

SSB has declined but we are not overfished; and we are not experiencing overfishing, although these reference points, as I note, we're looking to change in the coming addendum. In 2012 total harvest was roughly 25.8 million pounds. The commercial fishery landed 6.51 million

pounds, which was slightly lower than landings in 2011.

The Chesapeake Bay commercial landings were 3.92 million pounds; and the coastal commercial landings were 2.6 million pounds. There were two states that had overages in 2012; and so their quotas were adjusted accordingly in 2013. The Chesapeake Bay harvested underneath their quotas that they set using the harvest control model, as we talked about earlier.

The recreational fishery landed 19.27 million pounds. That was a 30 percent decrease in landings from 2011, and it has decreased for the sixth year in a row releases. Recreational catch estimate is the lowest since 1994; that is a 74 percent decline from the peak in 2006. This figure just shows the status of the fishery. You can see catch decreasing from that peak in 2006. The Chesapeake Bay Spring Trophy Fishery harvested a lower level in 2012 than they did in 2011. The juvenile abundance indices; actually we went over this report at the last meeting. That trigger has not been met, but there are a few states that have had recruitment failures in one or two years, so we will be continuing to monitor that moving forward.

The Albemarle/Roanoke harvested underneath their quota in 2012 as well. All states are in compliance in 2012. There were just a handful of regulatory changes that occurred. That concludes my report.

CHAIRMAN O'CONNELL: Thank you, Mike, for the nice summary report. Are there any questions for Mike? Rob.

MR. O'REILLY: I think this is related, but the recreational data will be fairly complete, preliminary in February and then not too long after that complete. The commercial data may lag behind a little bit, but since the projections that were done were done through 2012 and then projected forward that showed the problem with the SSB; is there going to be any run at all to look at adding 2013 data; how is that going to work out?

DR. DREW: Are you talking about just updating the projection part of the model or do you want the complete update of the assessment model?

MR. O'REILLY: I think it is the projections that really gave everyone a lot of concern; and it would be nice to see if they could be updated.

DR. DREW: I believe the projections could be updated fairly easily with the 2013 data, and we would most likely have to do that when we're examining some of the management options as well.

MR. WAINE: To do that, remember we'll need landings from all of the states; so that stuff is usually due in compliance reports, which aren't due until June, I believe. If we're going to do that with 2013 landings, we're going to need the states to submit those landings in time for that to occur.

MR. O'REILLY: Certain states can do that fairly easily. Other states I realize have a delay; but I would encourage that at least an attempt be made to do that.

CHAIRMAN O'CONNELL: Does the board want states to do their best at providing 2013 harvest data to staff? All right, I think I can interpret that as no objection. Bill.

MR. WILLIAM A. ADLER: If I might ask Mike, Mr. Chairman; on Page 7 of the compliance report, I guess – no, review, Page 7; am I reading this right that the commercial landings for 2012 totaled 839,329 and dead discards was 818,000, like almost equal to the total catch? Is that correct?

CHAIRMAN O'CONNELL: Yes; that is correct. Discards have dropped substantially in recent years, but in the not too recent past discards were close to the same level of harvest as estimated.

MR. ADLER: Well, they discard. If they caught 839,000 and they discarded 818,000, what did they bring in?

CHAIRMAN O'CONNELL: The discard is the mortality of their released fish.

MR. ADLER: That includes the harvest number?

CHAIRMAN O'CONNELL: I think that graph is intended show two things. One is the direct harvest and then also the mortality associated as discards to the fish that are caught and released. The overall mortality is cumulative over the fish that were removed from the waters and those that were released and a fraction of them died.

DR. DREW: To clarify, the two numbers are additive; so we know what they landed and that is what is reported as landings; and then we estimate what was discarded. That is in addition to what was landed and brought to dock and reported.

CHAIRMAN O'CONNELL: So if states have their landings' data for 2013, provide those to Mike as soon as you get them and we'll see if they can be updated for the projections by the May meeting. There are no compliance issues with 2013 compliance review of the 2012 fisheries. There are two states that went over quota. They're deducted for their 2013 fishery. Do I have a motion to accept the FMP Review? Pat.

MR. AUGUSTINE: MR. Chairman, I would like to do that. **I move the board approve the FMP Report for 2013 as presented today.**

CHAIRMAN O'CONNELL: Seconded by Michelle. Is there any opposition to that motion? **Seeing none; the motion carries.** We have one other item under other business. Mike Millard was going to give an update on the Cooperative Winter Tagging Cruise.

UPDATE ON THE COOPERATIVE WINTER TAGGING CRUISE

DR. MILLARD: Mr. Chairman, I'll turn that over to Wilson Laney.

DR. WILSON LANEY: Mike has on the screen up there a plot of the recaptures from the 2013 tagging cruise releases. We've got two different

maps to show you. This one is a bubble plot with the dots proportional to the numbers of fish caught at the individual locations. There were so far through the end of January, I think, 145 recaptures from 2006 fish that were tagged and released. Of those, 900 and some odd came from the trawl-based tagging; and the remainder, 1,100 or so, came from the hook-and-line releases.

Then if you can throw that other one up there, if you look in the lower left-hand corner, the red rectangle there encloses the approximate area where we caught all the fish during 2013 operations. Both the trawling and the hook-and-line operations were pretty much not confined to that red square there, but that is where we found all of the striped bass.

We sampled with the trawler well on down to the south, below Oregon Inlet, and we caught no striped bass last year in North Carolina waters. Then this year, to update you on our situation, recall that we were seeking funding to match an existing North Carolina Coastal Recreational Fishing License Grant, which we had, which was going to pay for half of the operations this year and next year.

We submitted a proposal to the Saltonstall-Kennedy Program. We initially thought we would hear whether or not we got that funding by January 1, which would have allowed us to use the RV Savannah out of Georgia to conduct the trawling operations. Unfortunately, I think due to the government closure and other issues the National Marine Fisheries Service hasn't yet made decisions on those.

Even if we are fortunate to be approved for funding, we wouldn't be able to use that funding I guess until next year. If we're not approved, of course, we'll have to resubmit an application for a future year funding. We didn't get funding to do the trawling in 2014. We do have the funding and we are currently conducting the hook-and-line tagging. I will turn it over to Mr. Godwin to let you know how things have gone thus far with that operation.

MR. GODWIN: It will be pretty short. We have taken two trips. We took one trip yesterday. We did not find any schools of striped bass. We took a trip last Monday. All of our trips for last week were cancelled due to weather. It has been a little unusually this year to really – so we're going out of Rudy Inlet, Virginia, with charterboat captains for hook and line.

The sea bass fishery hasn't been going on and there hasn't been a lot of tuna fishing going on out there, so there hasn't been a whole lot of boats going out to kind of know where they're seeing schools of rock as we're going, so we're really having to just really just search kind of in the blue at first. We're hoping to get two or three days in a row to where we can go out and locate some schools and tag some fish.

We've taken two trips; we have got eight more planned. I'm leaving this afternoon to go back. We're going out Wednesday, Thursday and Friday. The weather looks good for this week and hopefully next week. We tagged some pretty good numbers last year, roughly 2,100 fish from our hook-and-line; so we had some pretty successful days last year. We hope to continue that.

CHAIRMAN O'CONNELL: I appreciate that update. Does anybody have any questions for Wilson or Charlton? Mike has got one remaining item to wrap up our meeting.

MR. WAINE: This is Tom's last meeting as board chair for striped bass; so I just wanted to thank him for the last two years for his service and also Alexei Sharov, who has been our technical committee chair as well. (Applause)

CHAIRMAN O'CONNELL: I appreciate that. With that, we will adjourn. We only took one of our two hours, so we are going to bank that for the May meeting, Bob, right. Ritchie.

MR. WHITE: Briefly if Paul could update us on the Commonwealth's Plan for the tagging of commercial striped bass; how he plans to implement that and what progress has he made.

MR. DIODATI: I think the current management plan gives us to have that plan into place 90 days prior to the start of our season, which isn't until later in summer. We're still working on that. We go to public hearing next week on some of the issues; but right now we are proposing a point-of-sale tagging program, which is one of the ways to be consistent with the current plan. We will inform you after our public process. We're still in rulemaking essentially, so I can't really say too much about it until a couple more weeks. I think February 21st we will close our comment period. We can provide a memo or share our memos with our advisory commission back home.

ADJOURNMENT

CHAIRMAN O'CONNELL: Thanks, Paul. Is there any objection to adjourn? All right, thanks, everybody, great meeting.

(Whereupon, the meeting was adjourned at 12:00 o'clock noon, February 4, 2014.)



Atlantic States Marine Fisheries Commission

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MEMORANDUM

March 3, 2014

To: Atlantic Striped Bass Management Board

From: Law Enforcement Committee

RE: Enforcement of fishing prohibitions in the Exclusive Economic Zone (EEZ)

At the winter 2014 meeting of the Atlantic States Marine Fisheries Commission (ASMFC), the Striped Bass Management Board requested input on how enforcement is working in the EEZ. The context of this discussion is that the Board is considering making a recommendation to NOAA Fisheries to allow catch and release fishing in the EEZ. However, before doing so the Board wants to fully understand how the current prohibition on targeting/harvest/possession is working in the EEZ. The ASMFC Law Enforcement Committee (LEC) met via conference call on February 26, 2014 to address this issue.

Committee Members Present: Kurt Blanchard (RI); Elizabeth Buendia (USCG); John Cornish (ME-alternate); Dominick Fresco (NJ); Larry Furlong (PA); Honora Gordon (USFWS); Jamie Green (VA); Logan Gregory (NOAA OLE); Bob Hogan (NOAA OGC); Tim Huss (NY); Drew Idelit (DE-alternate); Lloyd Ingerson (MD); Kyle Overturf (CT); Gentry Thames (SC-alternate); Carter Witten (NC-alternate).

ASMFC Staff: Mark Robson; Kate Taylor; Mike Waine; Marin Hawk

Other Law Enforcement: Tracy Dunn (NOAA OLE); Jeff Radonski (NOAA OLE); Robert Kersey (MD NRP)

The Law Enforcement Committee offers the following comments relating to striped bass fishing regulations in the EEZ.

Illegal Harvest Activity

LEC members reported that varying levels of illegal harvest have occurred in New Hampshire, Massachusetts, Rhode Island, New York, New Jersey, Maryland and Virginia. Enforcement is ongoing and a number of successful cases have been publicized. However, enforcing a prohibition of harvest in the EEZ can be complicated by local factors. For example in Virginia, recently the fish were concentrated farther offshore, making it difficult to locate and monitor activity without use of aircraft. In federal waters in the vicinity of Block Island, private and for-hire vessels have attempted to take advantage of contiguous state boundaries to elude enforcement checks.

M14-042

Current Enforcement

LEC members reported successful enforcement efforts to address illegal take and possession in the EEZ. However, there was agreement that enforcement of possession in the EEZ is a very involved process when fish are otherwise legal to take in state waters. Covert and overt operations are used to target areas of known activity. States are coordinating cases with NOAA and USCG where appropriate. When cases have been made and publicized in a local area, this has resulted in diminishment of illegal activity for some period of time.

Enforcement of Targeting vs. Possession

The consensus of the LEC was that enforcing targeting prohibitions in the EEZ is extremely difficult, and in fact not occurring to any degree. Some states reported that targeting does occur, but making cases in court is difficult where intent must be proven. Most state regulations are written to address possession and take. Successful cases citing targeting generally require a level of surveillance that is not feasible. Further, such cases would need to demonstrate fishing behavior that is consistent with repetitive effort and techniques for catching striped bass in the EEZ in order to be successfully prosecuted. Another complication ensues when anglers may be legally targeting another species, e.g., bluefish off of New Jersey.

Catch and Release Allowance in the EEZ

The consensus of the LEC was that allowing catch and release fishing would only exacerbate enforcement of illegal harvest and possession. In many cases, allowing catch and release fishing would offer a reason to be fishing in the EEZ at a time and location where an angler might not otherwise be fishing. This provides additional cover to illegally take a fish and transport it back to state waters. The LEC discussed existing catch and release opportunity for striped bass in Chesapeake Bay. But in that circumstance, fishing activity can be more closely monitored and is allowed in a relatively small area.

Penalties

At least one state reported that there has been good support for cases and an interest in increasing penalties. At the federal level, many cases are handled through a summary settlement. Written Warnings, Summary Settlements and NOVAs are civil/administrative penalties, not criminal fines. Written Warnings are non-monetary penalties. Summary Settlements are monetary penalties based on the number of fish possessed, and NOAA Office of Law Enforcement personnel are authorized to issue specific monetary penalties for specific violations. For illegal possession of up to 10 fish and a first offense, the penalty is \$100 per fish. If the alleged violator has a prior offense for possession of striped bass in the EEZ, the penalty is \$250 per fish up to 10 fish. Possession of more than 10 fish can result in assessment of a Notice of Violation and Assessment (NOVA). NOVAs are also civil/administrative penalties, but are handled through the NOAA Office of General Counsel. Criminal violations are either misdemeanors or felonies, depending on the nature of the violation. Felony criminal fines have been applied to only a handful of cases where significant illegal operations (conspiracy, destruction of evidence, resisting boarding, etc.) greatly exceeded simple recreational fishing violations.



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MEMORANDUM

March 19, 2014

To: Atlantic Striped Bass Management Board

From: Atlantic Striped Bass Technical Committee

RE: Biological Impact of Catch and Release Fishing in the EEZ

The Striped Bass Technical Committee met via conference call to discuss the biological implications of allowing catch and release fishing for striped bass in the exclusive economic zone (EEZ; 3-200m miles). From a biological standpoint, the TC concluded that opening a fishery for striped bass in the EEZ would not decrease fishing mortality at a time when current F estimates are above its target level. Additionally, pre-spawning striped bass are known to overwinter offshore and in the EEZ and allowing a fishery for these individuals may jeopardize the reproductive output of the striped bass spawning stock. Lastly, it is impossible for the TC to predict whether opening the EEZ will result in a shift or an increase in fishing effort, but any fishing that occurs in the EEZ will result in a source of mortality that is currently minimized by the prohibition.

M14-040



Atlantic States Marine Fisheries Commission

1050 N. Highland Street • Suite 200A-N • Arlington, VA 22201
703.842.0740 • 703.842.0741 (fax) • www.asmf.org

MEMORANDUM

April 15, 2014

To: Atlantic Striped Bass Management Board

From: Atlantic Striped Bass Advisory Panel

RE: Potential Fishing Effort Changes from a Catch and Release Fishery in the EEZ

The Advisory Panel (AP) met on April 14, 2014 via conference call. The main agenda item discussed was to consider how the striped bass fishery would change if catch and release fishing were allowed in the exclusive economic zone (EEZ; 3-200m miles). Below is a summary of their conference call.

Attendees

Riley Williams (NC) commercial

Arnold Leo (NY) commercial

Kelly Place (VA) commercial

John McMurray (NY) charter boat

Chuck Casella (MA) charter boat

Ed O'Brien (MD) charter boat

Louis Bassano (NJ) recreational

Bob Fjelstad (VA) recreational

John Pedrick (PA) recreational

Ed Cook (RI) recreational

Joe Fletcher (DC) recreational

Charlton Godwin (TC Chair)

Public

Louis MacKeil (MA)

Staff

Mike Waine, FMP Coordinator

Mark Robson, LEC Coordinator

The AP unanimously agreed that they are not in favor of considering an opening of the EEZ to catch and release fishing for striped bass. They made this recommendation because of their concern about the continued decline in striped bass spawning stock biomass, and opening the EEZ to catch and release fishing at this time could add an additional source of fishing mortality on the stock. The AP echoed the law enforcement concerns that opening the EEZ to catch and release fishing would invite unlawful harvest of the species in the EEZ. Additionally, the AP noted that a catch and release fishery in the EEZ would end up targeting large striped bass that aggregate in deeper water off the Chesapeake Bay in the winter time. It is believed that the methods of capture, tackle used, location of the fishery, and level of fishing effort could result in a higher release mortality rate in the EEZ. As a result, the AP concluded that a catch and release fishery in the EEZ would increase fishing effort and result in more dead discarded striped bass.

M14-041



Atlantic States Marine Fisheries Commission

1050 N. Highland Street É Suite 200A-N É Arlington, VA 22201
703.842.0740 É 703.842.0741 (fax) É www.asmf.org

MEMORANDUM

April 22, 2014

To: Atlantic Striped Bass Management Board
From: Tina Berger, Director of Communications
RE: Advisory Panel Nominations

Enclosed for your review and approval are two new nomination to the Atlantic Striped Bass Advisory Panel ó **William Edward Hall Jr.**, a recreational fisherman from Virginia and **Kyle Douton**, a recreational fishermen and tackle shop owner from Connecticut. Mr. Hall replaces Robert Fjelstad, who has served on the panel since 1994. Please review this nomination for action at the next meeting of the Atlantic Striped Bass Management Board.

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

Enc.

cc: Mike Waine

M14-37

Atlantic Striped Bass Advisory Panel

Maine

Vice-Chair - David Pecci (rec)
144 Whiskeag Road
Bath, ME 04530
Phone (o): (207) 442-8581
Phone (c): (207) 841-1444
FAX: (207) 442-8581
dave@obsessioncharters.com
Appt. Confirmed 5/23/02
Appt Reconfirmed 5/10

Rodney ðChipö Gray (rec)
C/O Harraseeket Inn
162 Main Street
Freeport, ME 04032
Phone (o): (207) 865-9377
Phone (c): (207) 329-3126
FAX: (207) 865-1684
cgray76386@aol.com
Appt Confirmed 2/4/08

New Hampshire

Peter Whelan (rec)
100 Gates Street
Portsmouth, NH 03801
Phone (o): (603) 205-5318
Phone (h): (603) 427-0401
pawhelan@comcast.net
Appt. Confirmed 2/24/03
Appt Reconfirmed 5/10

Massachusetts

Chuck Casella (charterboat/rec)
1 Pine Plain Road
Georgetown, MA 01833
Phone (day): (978)290-0705
Phone (eve): (978)352-9617
ChuckCasella@verizon.net
Appt. Confirmed 11/10/04
Appt. Reconfirmed 2/11

Douglas M. Amorello (comm. rod & reel)
8 Old Thomas Street
Middleboro, MA 02346
Phone (day): (781) 293-4795

Cell: (774)766-8781
FAX: (781)293-4798
sashamysportfishing@yahoo.com
Appt Confirmed 3/23/11

Rhode Island

J. Edwin Cook (rec)
106 Briarbrook Drive
North Kingstown, RI 02852
Phone: (401) 885-0679
edcookcharters@cox.net
Appt. Confirmed 2/22/06
Appt Reconfirmed 5/10

Vacancy (rec)

Connecticut

Fred Frillici (rec)
5 Random Road
Fairfield, CT 06825
Phone (o): (203) 371-4237
Phone (c): (203) 767-1952
FAX: (203) 373-0906
fvfrillici@snet.net
Appt. Confirmed: 2/4/98
Appt. Reconfirmed 9/15/02

Kyle Douton (rec/tackle shop owner)
5 Rockwell Street
Niantic, CT 06357
Phone (day): (860)739-7419
Phone (eve): (860)739-8899
FAX: (860)739-9208
kyle@jbtackle.com

New York

Arnold Leo (com)
Hampton 130 Gerard Street
East Hampton, NY 11937
Phone: (631) 324-7178
FAX: (631) 907-4011
agleo@sover.net
Appt. Confirmed 4/21/94

Appt. Reconfirmed 9/15/98; 9/15/02 and 5/10

John G. McMurray (charter/conservation)
2887 Alfred Court
Oceanside, NY 11572
Phone: (718)791-2094
FAX: (212)362-4831
john@nycflyfishing.com
Appt. Confirmed 8/15/07

New Jersey

C. Louis Bassano
1725 West Central Avenue
Ortley Beach, New Jersey 08751.
Phone (c): (908) 241-4852
FAX: (908) 241-6628
lbassano@comcast.net
Appt. Confirmed 10/15/01
Appt. Reconfirmed 2/9/06; 5/17/10; 4/14/14

Capt. Al Ristori (charterboat)
1552 Osprey Court
Manasquan Park, NJ 08736
Phone: (732) 223-5729
FAX: (732) 528-1056
cristori@aol.com
Appt. Confirmed 10/17/94
Appt. Reconfirmed 9/15/98; 9/15/02; 2/9/06;
5/17/10

Pennsylvania

John Pedrick (rec)
936 Langstroth Lane
Bensalem, PA 19020
Phone: (215) 633-6777
jjpedrick@verizon.net
Appt Confirmed 3/23/11

Delaware

Leonard Voss, Jr. (com)
2854 Big Oak Road
Smyrna, DE 19977
Phone: (302) 653-7999
Appt. Confirmed 4/21/94

Appt. Reconfirmed 7/27/99; 7/03 and 7/07

Nicholas E. Grez (rec)
6 Burrwood Court
Long Neck, DE 19966
Phone: (302) 945-4027
FAX: (302) 945-4077
Email: n.grez@verizon.net
Appt. Confirmed 2/7/00
Appt Reconfirmed 2/04 and 2/08

Maryland

Edward O'Brien (charterboat)
7790 Dentzel Court
Chesapeake Beach, MD 20732
Phone (h): (410) 741-5609
Phone (c): (301) 807-3660
FAX: (301) 855-0944
Email: capedob@aol.com
Appt. Confirmed 4/21/94
Appt. Reconfirmed 9/15/98; 9/15/02; 9/06
and 5/10

David Sikorski (rec)
4637 Willowgrove Drive
Ellicott City, MD 21042
Phone: (443) 621-9186
FAX: (410) 772-5805
Dauidsikorski@mac.com
Appt Confirmed 3/23/11

Virginia

Chair - Kelly Place (comm; reappted chair
10/2010)
213 Waller Mill Road
Williamsburg, VA 23185
Phone (h): (757) 220-8801
Phone (c): (757) 897-1009
FAX: (757) 259-9669
kelltron@aol.com
Appt. Confirmed 5/23/02
Appt Reconfirmed 5/06 and 5/10

William Edward Hall Jr. (rec)
PO Box 235
26367 Shoremain Drive
Bloxom, VA 23308
Phone (day): (757)854-1519
Phone (eve): (757)894-0416
FAX: (757)854-0698
esangler@verizon.net

North Carolina

Riley W. Williams (com)
336 Selwin Road
Belvidere, NC 27919
Phone: (252) 312-8457
Appt. Confirmed 11/10/04
Appt Reconfirmed 11/08

Vacancy (rec)

District of Columbia

Joe Fletcher (rec)
1445 Pathfinder Lane
McLean, VA 22101
Phone: (703) 356-9106
Email: jmfletcher@verizon.net
Appt. Confirmed 10/30/95
Appt. Reconfirmed 9/15/99; 9/03 and 9/07

Potomac Fisheries River Comm.

Kyle J. Schick (marina owner, seafood
restaurateur, rec/com)
901 Irving Avenue
PO Box 400
Colonial Beach, VA 22443
Phone (o): (804) 224-7230
Phone (c): (804) 761-1729
FAX: (804) 224-7232
Email: kyle@cbycmarina.com
Appt. Confirmed 8/15/07



ATLANTIC STATES MARINE FISHERIES COMMISSION

Advisory Panel Nomination Form

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

Form submitted by: Robert L. O'Reilly State: Virginia
(your name)

Name of Nominee: William Edward (Bill) Hall, Jr.

Address: PO Box 235, 26367 Shoremain Drive

City, State, Zip: Bloxom, VA 23308

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

Phone (day): (757) 854-1519 Phone (evening): (757) 894-0416

FAX: (757) 854-0698 Email: esangler@verizon.net

FOR ALL NOMINEES:

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

2. Has the nominee been found in violation of criminal or civil federal fishery law or regulation or convicted of any felony or crime over the last three years?
 yes _____ no X

3. Is the nominee a member of any fishermen's organizations or clubs?
 yes X no _____
 If "yes," please list them below by name.

Eastern Shore (VA) Anglers Club

Eastern Shore (VA) Marlin Club

International Game Fish Association

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

Striped Bass

Black Drum

Red Drum

Summer Flounder

Speckled Trout

Bluefish

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

Tautog

Blueline Tilefish

Black Sea Bass

Yellowfin Tuna

White Marlin

Bluefin Tuna

FOR COMMERCIAL FISHERMEN:

1. How many years has the nominee been the commercial fishing business? _____ years
2. Is the nominee employed only in commercial fishing? yes _____ no _____
3. What is the predominant gear type used by the nominee? _____
4. What is the predominant geographic area fished by the nominee (i.e., inshore, offshore)? _____

FOR CHARTER/HEADBOAT CAPTAINS:

1. How long has the nominee been employed in the charter/headboat business? _____ years
2. Is the nominee employed only in the charter/headboat industry? yes _____ no _____
If "no," please list other type(s) of business(es) and/occupation(s): _____

3. How many years has the nominee lived in the home port community? _____ years
If less than five years, please indicate the nominee's previous home port community.

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

Mr. Hall holds a college degree in Biology and understands the dynamics of marine ecosystems and the impact(s) that commercial and recreational fishing exert on those systems. He is a highly recognized and respected saltwater angler, having earned numerous state awards and world records. He is also an IGFA International Committee Member, representing the DelMarVa Peninsula. Bill has served on the Virginia Marine Resources Commission's (VMRC) Artificial Reef Advisory Committee and is a long-standing member of the VMRC Virginia Saltwater Fishing Tournament Committee. In addition, Mr. Hall was an appointed member of the VMRC's first Recreational Fishing Advisory Board, which reviews proposals and makes recommendations to the Commission regarding the expenditure of the state's Saltwater Recreational Fishing Development Fund. Bill's knowledge, experience, and reputation on the water is recognized by both the State's commercial and recreational fishing communities and he would provide an excellent and respected addition to the ASMFC Striped Bass Advisory Panel.

Nominee Signature: William Edward Hall, Jr.

Date: April 17, 2014

Name: William Edward Hall, Jr.
(please print)

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

Robert D. Rully, Jr. MRB
State Director

State Legislator

Governor's Appointee

- see email approvals
RWR

From: dymer [dymer@kaballero.com]
Sent: Tuesday, April 22, 2014 11:54 AM
To: O'Reilly, Rob (MRC)
Subject: RE: I need your approval for a nominee to the ASMFC striped bass advisory panel

You have my approval for Bill Hall. Cathy

From: O'Reilly, Rob (MRC) [mailto:rob.o'reilly@mrc.virginia.gov]
Sent: Monday, April 21, 2014 1:26 PM
To: DYMER@KABALLERO.COM
Cc: kyle@cbycmarina.com
Subject: I need your approval for a nominee to the ASMFC striped bass advisory panel

The nominee is Bill Hall of Bloxom, VA. Bill is a long-time high-profile angler and involved in clubs and recreational fishery promotions.

Bob Fjalstad wants to leave the advisory panel after 20 years!

I hope you both are doing well (TGIspring).

Please let me know if you can support Bill Hall in this role.

Thanks,

Rob

O'Reilly, Rob (MRC)

From: Kyle Schick [kyle@cbycmarina.com]
Sent: Monday, April 21, 2014 1:46 PM
To: O'Reilly, Rob (MRC)
Subject: Re: I need your approval for a nominee to the ASMFC striped bass advisory panel

Rob,
Bill will make a fine candidates.

Sorry I will miss you at the next fisheries meeting. See you in august.

Kyle Schick
Colonial Beach Yacht Center
P.O. Box 400,
1787 Castlewood Dr.
Colonial Beach, VA 22443
c 804-761-1729
w 804-224-7230
f 815-377-3621

On Apr 21, 2014 1:26 PM, "O'Reilly, Rob (MRC)" <rob.o'reilly@mrc.virginia.gov> wrote:
The nominee is Bill Hall of Bloxom, VA. Bill is a long-time high-profile angler and involved in clubs and recreational fishery promotions.

Bob Fjalstad wants to leave the advisory panel after 20 years!

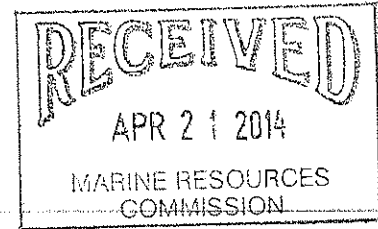
I hope you both are doing well (TGIspring).

Please let me know if you can support Bill Hall in this role.

Thanks,

Rob

Subject: Fwd: ASMFC advisory Panel
From: Bill and Kyle <esangler@verizon.net>
Date: 4/16/2014 6:59 PM
To: bhall@sbo.accomack.k12.va.us



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

From: "O'Reilly, Rob (MRC)"
Date: Apr 16, 2014 5:54:27 PM
Subject: ASMFC advisory Panel
To: "esangler@verizon.net" <esangler@verizon.net>

Bill:

It would be especially important to have your knowledge of recreational fisheries transplanted to the ASMFC striped bass advisory panel.

I have an application I am attaching. If you have any questions about the application, please let me know.

Thanks a lot,

Rob

-----Attachments:-----

ASMFC NominationFord.pdf

32.0 KB



ATLANTIC STATES MARINE FISHERIES COMMISSION

Advisory Panel Nomination Form

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

Form submitted by: DAVID SIMPSON State: CONNECTICUT
(your name)

Name of Nominee: KYLE DOUTON

Address: 5 ROCKWELL STREET

City, State, Zip: NIANTIC, CT 06357

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

Phone (day): 8607397419

Phone (evening): 8607398899

FAX: 8607399208

Email: KYLE@JBTACKLE.COM

.....

FOR ALL NOMINEES:

1. Please list, in order of preference, the Advisory Panel for which you are nominating the above person.

1. STRIPED BASS ADVISORY
2. _____
3. _____
4. _____

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

yes _____ no X

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

yes _____ no X

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

CONNECTICUT CHARTER PARTY BOAT ASSOC.

CT MARINE ADVISORY GROUP

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

BLACK SEA BASS

FLUKE, SCUP, TAUTOG

STRIPED BASS

PELAGIC (TUNA & MAHI)

BLUEFISH

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

SAME AS ABOVE

FOR COMMERCIAL FISHERMEN:

1. How many years has the nominee been the commercial fishing business? _____ years

2. Is the nominee employed only in commercial fishing? yes _____ no _____

3. What is the predominant gear type used by the nominee? _____

4. What is the predominant geographic area fished by the nominee (i.e., inshore, offshore)? _____

FOR CHARTER/HEADBOAT CAPTAINS:

1. How long has the nominee been employed in the charter/headboat business? _____ years

2. Is the nominee employed only in the charter/headboat industry? yes _____ no X

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

RETAIL TACKLE SHOP OWNER

3. How many years has the nominee lived in the home port community? 33 years

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

NIANTIC RIVER, NIANITC CONNECTICUT

FOR RECREATIONAL FISHERMEN:

1. How long has the nominee engaged in recreational fishing? _____ years
2. Is the nominee working, or has the nominee ever worked in any area related to the fishing industry? yes _____ no _____

If "yes," please explain.

FOR SEAFOOD PROCESSORS & DEALERS:

1. How long has the nominee been employed in the business of seafood processing/dealing? _____ years
2. Is the nominee employed only in the business of seafood processing/dealing?
yes _____ no _____ If "no," please list other type(s) of business(es) and/or occupation(s):

3. How many years has the nominee lived in the home port community? _____ years
If less than five years, please indicate the nominee's previous home port community.

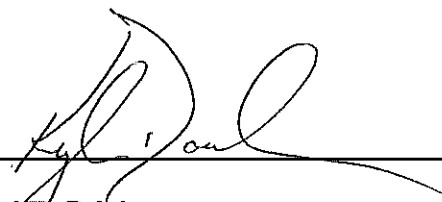
FOR OTHER INTERESTED PARTIES:

1. How long has the nominee been interested in fishing and/or fisheries management? _____ years
2. Is the nominee employed in the fishing business or the field of fisheries management?
yes _____ no _____

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

FOR ALL NOMINEES:

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

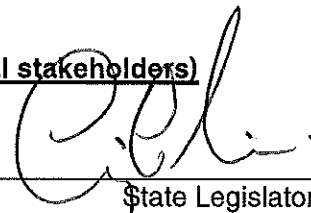
Nominee Signature: 

Date: 10/23/13

Name: KYLE DOUTON
(please print)

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


State Director


State Legislator


Governor's Appointee

Mike Waine

From: David Price <david.price@verizon.net>
Sent: Friday, April 18, 2014 1:20 AM
To: Mike Waine
Subject: Management of Striped Bass Fishery
Attachments: Striped Bass Management, Mr, Waine.doc

April 17, 2014

Michael Waine
Fisheries Management Plan Coordinator
050 N. Highland Street, Suite 200 A-N,
Arlington, VA 22201

Dear Mr. Waine,

As an avid fisherman I am greatly concerned with the management of our striped bass resource. Over the last decade studies by scientist and on the water experience by fisherman have indicated a steep decline in the fishery. I can also attest to the decline in the number of fish that are found in my local waters as well as areas I travel to during the season. The indications presented by the scientist, fisherman and myself are all backed by the assessment generated by the Technical Committee which was accepted by the Striped Bass Management Board. My purpose for writing this letter is my frustration that I have with the ASMFC as well as members of the Striped Bass Management Board who feel as though the striped bass resource is ok. Too often the management of our fisheries caters to special interests groups that seek to benefit from that maximum amount of harvest that can be obtained. Amazingly not that long ago the ASMFC was successful in fully restoring the striped bass stocks which was a miracle; since that time the resource has been greatly exploited resulting in a severe decline coast wide.

Up to this point there have only been two good year classes of striped bass of 2006 and 2011. The 2011 year class has time and time again been preached as the exceptional year class of striped bass. As a result, the state of Maryland has decided that it would be a good idea to increase the harvest of striped bass in 2014 by 14%. This idea was generated because it was said that the 2011 year class would add a large influx of striped bass into the fishery having reached legal size requirements. This statement has been repeated to me many times whenever I referred to the increase in this harvest amount. Clearly I do not understand this misguided thinking when proactive measures are needed in managing a resource. Having only two good year classes with 2011 being exceptional one would expect that this year class of fish would be protected as much as possible enable more fish to reproduce for the future. Aside from the two good year class of striped bass the remaining years of the past decade have been dismal and this is often overlooked and brushed to the side by managers. A common trend that I recognize within this country is greed generated by the push to generate more profits for select individuals often undermining other hard working citizens as well as the environment. Too often the consequences that are associated with decision making are set aside and brushed under the rug to be forgotten if this means making more money. The point I am stressing is that the striped bass resource is being managed in a manner where a dollar value has been placed. I personally do not believe a dollar should be placed on such a great natural resource however; money will always be involved as this is the way of life. With this being said it would behoove the ASMFC as well as the Striped Bass Management Board to pay attention to the science and data that the Technical Committee has painstakingly worked to compile to best represent the current state of the striped bass. It is in the best interest of all beneficiaries of the striped bass resource one we have all grown so fond of throughout our lives to have the greatest amount of fish alive in the ocean. I strongly support the

reduction of both recreational and commercial fisherman along with expecting active measures to be taken to ensure this happens. More often decisions made in life by people from all backgrounds are made with the thought of making gains quickly and now. Too often we forget about the future with our nearsighted thought process. Perhaps it is human nature to act in this manner. I plead that you support a reduction of a least 30% for the striped bass fishery to ensure that we may all enjoy the bounty of the striped bass resource. I greatly appreciate any considerations to this letter as well for your time in reviewing my concerns which are shared by many.

Sincerely,

David Price
10 Phelps Avenue
Bayville, NJ 08721-2119
732-864-6505

Mike Waine

From: RSQUIRE@aol.com
Sent: Thursday, March 27, 2014 11:08 PM
To: James Gilmore; Pat Augustine
Cc: Mike Waine
Subject: Public Comment for May 12 ASMFC Meeting

Greetings,

I am an avid surfcaster with deep concerns over the current trends in the striped bass fishery and I am writing to express my frustration with the ASMFC and the Striped Bass Management Board. For close to 10 years indications from scientists and anglers have been hinting at continued decline in the striped bass fishery. The recent peer-reviewed benchmark stock assessment completed by the Technical Committee and accepted by the Striped Bass Management Board provided the data that supports this downward trend. Yet some people on the ASMFC Striped Bass Management Board still question the science and continue to erect barriers to taking effective action. I am encouraged to hear of the planned 30% reduction in striped bass harvested by both sectors however I am wary that action will again be delayed or watered down. While I recognize that the current striped bass situation is not at the crisis levels of the 1980's, the time to act is now before crisis levels are reached.

Frustrated with the ASMFC Striped Bass Management Board and unwilling to sit by and wait for the ASMFC to act, I recently started a group on Facebook called the **1@32 Pledge**. The Pledge promotes catch and release and the angler pledges to harvest only one fish per day at 32" should the angler decide to harvest a fish for the table. The hope of the effort is twofold: that we build enough of a groundswell movement to make a difference in reducing the number of striped bass that are harvested, and that we demonstrate to the ASMFC how many users of this resource are committed to its conservation. Since November 2013 close to 1,600 people have signed onto the Pledge and the numbers continue to grow.

I fully recognize and appreciate the positions taken by the commercial sector and believe that the recreational sector needs to pull its weight in reducing the number of striped bass that are harvested. At the same time it is important to recognize that the livelihoods of the commercial sector are deeply invested in maintaining their current quotas. In my experience many commercial fishermen faced with daily bills, mortgages, and living expenses lose sight of the forest because of the trees. The reality is that their livelihoods are inexorably tied to the health and vibrancy of the striped bass resource and their constant refrain "that all is well" and that "change is not needed" is misguided and not supported by the science and the data that this Board voted to accept.

As my representatives on the ASMFC, all I ask, is that you follow the science and data that the Technical Committee has worked so hard to develop and create for the good of the resource and all its users.

- Since 2006, there have been only two year-classes above target. One of those years was marginally above target and the other, 2011, was the fourth best on record (it is worth noting that the health of this young of year class is still unknown). What is often overlooked was the 2012 young of year class which was the worst year class ever going back more than 50 years, and worse than anything ever recorded during the collapse of the 1970's/1980's. It was followed by another poor class in 2013.
- Recreational catches decreased for the sixth consecutive year and the 2012 recreational catch estimate is the lowest since 1994, and represents a 74% decline from the peak in 2006.

- With the exception of three solid weeks of fishing in November, 2013 was a difficult year for striped bass landings in the surf on Long Island. The Fall Run in Montauk was virtually non-existent and for the third year in a row, striped bass did not show on the North Shore in any real numbers for the third consecutive year.

Your votes must be consistent with the science and data. The time for fair but firm action is now. I encourage you and the NYSFC Striped Bass Management Board to enact a new regulation to reduce the recreational harvesting of striped bass namely, one striped bass at no less than 32" per angler per day regardless of venue, be it shore, private boat or party boat.

Sincerely,



Ross Squire
264 Fillmore Street
Centerport, NY 11721
631-424-4577

Mike Waine

From: Dennis Neves <dneves44@gmail.com>
Sent: Sunday, March 16, 2014 1:22 PM
To: Mike Waine
Subject: Striped Bass Conservation

Mike,

I was listening to a local Cape Cod radio station. It is comforting to hear that changes will hopefully be made by 2015 to conserve our striped bass species that we all enjoy and love. This conservation is critical. I have been fishing the Cape Cod Canal since I was 15 years old, I am now 32. Over the years of fishing with my father and friends, I have to seen some positive and negative changes. Over the last 5 years, I've noticed the decline in striper abundance on a consistent basis year after year. At times, when the fishing is slow, all of us head up to parking lot to shoot the breeze and tell fishing stories. Most of the stories that we talk about now is how "fishing isnt like it used to be". I understand the natural changes in global warming, bait stocks, diseases, etc that are a part of ocean life but In my opinion, take it for what it's worth, there is no need for a recreational fisherman to kill to 2 fish everytime he/she decides to wet their fishing line. Time and time again, the spring run approaches us and all I see for miles are dead fish. Dead fish everywhere. For someone that loves to fish for the sport and will enjoy the journey of fishing with my kids, it's a disgusting and pathetic site to see. Is there really a need for a fisherman to keep 2 30lb fish because he can? Many dont have any idea how long it took for that fish to get that large and how many potential offspring it could have. Taken this example, is he or see really going to eat 60 lbs worth of fish within a reasonable amount of time before it goes bad in the freezer? Maybe.. But I doubt it. Last year I noticed more larger fish killed 30-45 lb than ever. It was either larger fish or schoolie sized being caught, nothing in between. If I an remember correctly, this was the same that started to happen when the last population crash occurred. This needs to be addressed immediately before it's too late.

The changes to the commercial regulations this year was an attempt to fix the issue but the main objective certainly wasn't address. Instead of keeping the quota the same or even dropping it, they increased it 15%!!! I'm not going to get into too much with the commercial fisherman but issuing the new regulation for the recreational angler the 2 day allotted time to cash in on fish, again isn't doing much to help the situation. Matter of fact, we will be witnessing more guys "culling" fish. If you can get \$4 a lb for striped bass and you have a fish that weighs 15 lbs already on the rocks and you manage to catch 2 20 lb fish, what do you think will happen to the 15 lber? It's sad to say but greed and money changes people. We see it everywhere. I notice behavioral changes for commercial regulars at beginning of the season compared to commercial season. The behavior isn't positive.

Mike the regulations really need to change recreational and commercial. The amount of killing that we see every year is getting out of control and by the time things get figured out, it will be too late. I'd invite you witness other fishermans opinions on this matter on stripersonline.com. You will notice the same cry for change. Thank you for your time.

Dennis

Mike Waine

From: info
Sent: Thursday, February 06, 2014 8:30 AM
To: Mike Waine
Subject: FW: Striped Bass Regulation Reform

Striped bass public comment.

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

From: David Price [mailto:david.price@verizon.net]
Sent: Wednesday, February 05, 2014 9:53 PM
To: info
Subject: Striped Bass Regulation Reform

To Whom It May Concern,

This is in regards to the the reform on striped bass regulations. It was brought to my attention that there is a chance that new reductions for 2015 may not actually be implemented. I ask you why? What possible reason may you have for making such a distasteful decision? Why is it that and organization such as ASMFC which is supposed to manage our fisheries resources as a means to protect them for future generations chooses this path? Clearly you have special interest in mind and possibly are favoring and catering to commercial fishing. Your decision upsets and in ways insults me along everyone else that values this resource. For once can we step aside and look at the big picture. Not from a dollar stand point but from a perspective of doing what is right and enabling this resource to flourish. The striped is more than a fish. This is a living resource that gives so much to us fisherman more than we could ever give back. We are truly fortunate to have access to this fishery. It is our responsibility as good stewards to protect this fish as well as any other living resource. Do you have what it takes to make the right decision?

Thank You,

Sincerely,

David Price
732-864-6505

March 28, 2014

Sen. Philip M. Boyle
4th Senate District
69 West Main Street
Bay Shore, NY 11706

Dear Senator Boyle,

I am an avid fisherman and am very concerned about the current state of the Striped Bass Fishery. As you are well aware, the striped bass migrate along the east coast and are vital for an entire fishing industry here in New York, as well as the other states along the eastern seaboard. To ensure that the vast economy that the Striped Bass support remains intact, I am in favor of the ASMFC Technical Committee's recommendation for a 30% reduction in the harvesting of striped bass. To do my part in this effort I have recently taken the "1@32" pledge which is a grass roots movement started on social media to try to save the fish one angler at a time. Without your help this effort will be in vain.

I fully recognize and appreciate the positions taken by the commercial sector and believe that the recreational sector needs to pull its weight in reducing the number of striped bass that are harvested. I know that the commercial fisherman rely on the bass as a sole income source, but if the fishery is decimated ultimately it will just mean more tax dollars lost! The goal should be that all fishermen, both those who profit from the fish and those who enjoy the pastime of fishing can partake in their endeavors for years to come. For me on a personal level, my son is four and I would like the bass to be around so he may one day enjoy fishing as much as I do.

The science simply does not lie and as you can see in black and white the bass are in a decline. Versus being plunged into an abyss where a moratorium is mandated where no one wins, I hope you will take action. As my representative on the ASMFC, all I ask, Sen. Boyle, is that you follow the science and data that the Technical Committee has worked so hard to develop and create for the good of the resource and all its users. Here are some facts that I hope you will take into account in your upcoming vote.

- Since 2006, there has been only two year-classes above target. One of those years was marginally above target and the other, 2011, was the fourth best on record. This poor over-all recruitment is rarely cited by the ASMFC or that the year class of 2011 was followed by the worst young of year class on record. To make matters worse, the year class of 2013 was also very poor.
- The health of the much touted 2011 young of year class remains unknown; the viability and protection of this year class is critical.
- Given the poor year classes, and the fact that the Female spawning stock biomass (SSB) is going to be comprised of fish spawned in 2003 or earlier at least until the 2011s begin

to contribute in 2017, allowing a 2-fish harvest risks quickly depleting the spawning stock before replacement fish can enter in any quantity.

- Recreational landings are down significantly coast-wide.
- Intense poaching of striped bass by both the recreational and commercial sectors continues with no significant or sustained enforcement by authorities.
- Recreational catches decreased for the sixth consecutive year and the 2012 recreational catch estimate is the lowest since 1994, and represents a 74% decline from the peak in 2006.
- With the exception of three solid weeks of fishing in November, 2013 was a difficult year for striped bass landings in the surf on Long Island. The Fall Run in Montauk was virtually non-existent and for the third year in a row, striped bass did not show on the North Shore in any real numbers.

I beg that your vote and that of Governor Cuomo's appointee on the Striped Bass Management Board be consistent with the science and data that is very clear to the fishing community. The time for action is now. Just think of how many people "go fishing," and how many shops, boats, equipment manufacturers, etc. will be affected if our beloved Striped Bass disappear. Thank you again for your consideration.

Sincerely,

A handwritten signature in black ink, appearing to read 'Vincent Fiorillo', written over a horizontal line.

Vincent Fiorillo
270 Fillmore Street
Centerport, NY 11721
646-808-7257

cc: J. Gilmore
P. Augustine

1075 Tooker Avenue
West Babylon, NY 11704
April 29, 2014

Atlantic Striped Bass Management Board
Atlantic States Marine Fisheries Commission
1050 N. Highland Street
Arlington, VA 22201

Dear Commissioners:

I am taking this opportunity to comment on matters that may be considered by the Atlantic Striped Bass Management Board (the "Management Board") at the Spring Meeting of the Atlantic States Marine Fisheries Commission (the "Commission").

As an active striped bass angler, and one who, like many others, pursued striped bass during the 1970s and 1980s, I am concerned with the decreasing abundance of the striped bass' female spawning stock biomass ("SSB"), and eager to see Management Board take action, on behalf of the Commission, to restore the SSB to the target biomass level (" SSB_{target} ") and otherwise bring its management plan into full accord with the conclusions presented in the peer-reviewed Striped Bass Stock Assessment for 2013, as updated (the "Benchmark Assessment").

Thus, I urge the Management Board to consider the following proposals.

I

THE FISHING MORTALITY REFERENCE POINTS RECOMMENDED IN THE BENCHMARK ASSESSMENT, $F_{TARGET}=0.180$ AND $F_{THRESHOLD}=0.219$, SHOULD BE INCORPORATED INTO THE INTERSTATE FISHERY MANAGEMENT PLAN FOR ATLANTIC STRIPED BASS (THE "MANAGEMENT PLAN")

The Benchmark Assessment states that, in order to achieve SSB_{target} , the fishing mortality target (" F_{target} ") should not exceed 0.180, and that in order to keep striped bass abundance above the female spawning stock biomass threshold (" $SSB_{threshold}$ "), the fishing mortality threshold (" $F_{threshold}$ ") must be kept at or below 0.219.¹

Such fishing mortality reference points (the "Updated Reference Points") are substantially lower than the F_{target} and $F_{threshold}$ currently included in the Management Plan, and fishing mortality (" F "), at 0.20, was significantly below F_{target} in 2012. Even so, "If the current fully-recruited F (0.200) is maintained

¹ Atlantic States Marine Fisheries Commission, *Update of the Striped Bass Stock Assessment Using 2012 Data*, October 2013, p. 7.

during 2013-2017, the probability of being below the SSB reference point increases to 0.86 by 2015 (Figure 11). After 2016, the probability is expected to decline *slightly* [emphasis added].”²

The Management Board is currently contemplating an addendum to the Management Plan (the “Addendum”) which would adopt the fishing mortality reference points set forth in the Benchmark Assessment. Such Benchmark Assessment, a peer-reviewed assessment of a data-rich stock, represents the “gold standard” for stock assessments and should be relied upon for all management decisions.

Since the *Interstate Fisheries Management Program Charter* (the “Charter”) requires that “Conservation programs and management measures shall be based on the best scientific information available,”³ incorporating the Updated Reference Points into the Management Plan (and so, at this juncture, into the Addendum) should not be a matter for debate, but rather should be done as a matter of course. No other action is consistent with the Charter.

II

MANAGEMENT MEASURES MUST BE SUFFICIENT TO BOTH MAINTAIN HARVEST AT OR BELOW F_{TARGET} AND TO ASSURE THAT THE SPAWNING STOCK IS GIVEN ADEQUATE PROTECTION

A

HARVEST REDUCTIONS GREATER THAN THAT RECOMMENDED BY THE COMMISSION’S STRIPED BASS TECHNICAL COMMITTEE SHOULD BE CONSIDERED

Because of the need to have these comments included in the meeting materials for the Commission’s Spring Meeting, they are being prepared prior to the May 1 meeting of the Commission’s Striped Bass Technical Committee (the “Technical Committee”). Thus, it is impossible to refer to such Technical Committee’s final recommendations. However, it appears likely that the Technical Committee will recommend a 31% overall reduction in striped bass harvest, based on harvest in recent years.

Regardless of the Technical Committee’s final recommendation, it should be viewed as the minimum reduction that might be effective in restoring striped bass abundance to SSBtarget. No lesser reduction should be considered, and there are good arguments for including options for greater reductions in the Addendum.

First and most obvious is the fact that the recommended harvest reduction is based on imprecise figures. By adopting harvest reductions no greater than those recommended by the Technical Committee, the Management Board runs the risk that some elements of scientific or management uncertainty will lead to such cuts being too small to adequately constrain harvest.

Second, and perhaps more important, is that basing needed harvest reductions only on recent years’ landings could understate the needed cuts, due to the waterfront damage done, and the resultant reduction in fishing trips, attributable to the so-called “Superstorm” Sandy; as waterfronts in the

² *Ibid.*, p. 8

³ Atlantic States Marine Fisheries Commission, *Interstate Fisheries Management Program Charter*, May 2013, p. 14

affected areas recover, as they are currently doing, such impacts will disappear, the number of fishing trips will increase and striped bass harvest will, naturally, follow.

The impact of Sandy can be easily seen in National Marine Fisheries Service (“NMFS”) data for Wave 6 in 2012 and Waves 2 and 3 in 2013, which are the waves most affected by the storm. In New York, during 2013’s Waves 2 and 3, striped bass anglers made about 269,000 trips, only about two-thirds of the average number of trips made during the same period in the previous three years (2010-2012). The same thing can be seen for 2012’s Wave 6, when New York’s striped bass anglers made less than 34,000 trips, only a quarter of the average for Wave 6 in 2009-2011.⁴

The same pattern was demonstrated in New Jersey. 2013’s waves 2 and 3 generated about 409,000 striped bass trips, slightly less than two-thirds of the 2010-2012 average of 660,000 trips; New Jersey’s 2012 Wave 6 generated about 107,000 trips which, as in New York, was about a quarter of the 2009-2011 average of 490,000.⁵

When fishing activity returns to normal, the striped bass harvest will increase as well. The Addendum’s harvest cuts must be adequate to account for such increase.

Finally, the pattern of striped bass recruitment must be taken into account.

The Maryland Young-of-the-Year Index (the “Index”), which is arguably the best predictor of future striped bass abundance, has a long-term average of 11.7.⁶ Over the past ten years of such survey, that average has been exceeded only three times, in 2005 (17.79), 2007 (13.39) and 2003 (34.58). The Index for 2004 was just about equal to the long-term average, while for the remaining six years, the Index was substantially below-average. In 2012, the Index was just 0.89, the lowest recorded in a time series which reaches as far back as 1957, and includes the striped bass collapse of the late 1970s and early 1980s.⁷ That trend of poor recruitment is made somewhat more worrying given the long-term warming trend in winter temperatures, and the fact that warm winters and dry springs generally lead to poor striped bass reproduction.⁸

Taking all of the above factors, and the uncertainties that they present to managers, into consideration, it only makes sense to move forward with caution, and adopt a harvest reduction somewhat greater than that recommended by the Technical Committee, in order to create a buffer that accounts for some of the scientific and management uncertainty inherent in the process.

⁴ Percentages derived from figures obtained in a personal communication from the National Marine Fisheries Service, Fisheries Statistics Division, April 25, 2014

⁵ *Ibid.*

⁶ Maryland Department of Natural Resources, “DNR Releases 2013 Young-of-the-Year Striped Bass Survey,” available at <https://news.maryland.gov/dnr/2013/10/18/dnr-release-2013-young-of-the-year-striped-bass-survey/>

⁷ Durell, E.Q., and Weedon, C. 2011. Striped Bass Seine Survey Juvenile Index Web Page.

<http://www.dnr.state.md.us/fisheries/juvinindex/index.html>. Maryland Department of Natural Resources, Fisheries Service.

⁸ Maryland Department of Natural Resources, “Down Year for Striped Bass Reproduction,” available at http://www.dnr.state.md.us/fisheries/news/story.asp?story_id=277

B

A BAG LIMIT OF MORE THAN ONE FISH WILL CAUSE RAPID ATTRITION OF THE SPAWNING STOCK

The Technical Committee has suggested that a 31% harvest reduction could be achieved by either allowing the harvest of one striped bass at least 28 inches in length, or two fish no less than 33 inches long (a slot limit, of unknown parameters at the time of this writing, is also being considered). However, given the current structure of the spawning stock, the two possible bag/length combinations would not have the same impact on the stock; allowing two 33-inch fish to be retained would result in far more fish being removed from the population.

During the period extending from 2015 until 2017 or, more probably, 2018, when more than half of the surviving members of the large 2011 year class are recruited into the coastal fishery, there will be relatively few 28-inch fish available to anglers, as there was below-average reproduction in all of the years between 2008-2010.⁹ Thus, even if 28-inch fish may, in theory, be harvested, fish from older year classes, most particularly the 2003s, will bear the brunt of the harvest. All such fish have already grown larger than 33 inches.

That poses a problem, as larger striped bass produce eggs which have a greater probability of hatching and of producing larvae capable of surviving,¹⁰ and “the age structure of a striped bass stock may affect not only its population fecundity but also its viable egg production.”¹¹ Thus, removing significant numbers of older females from the population can significantly reduce the stock’s reproductive potential.

In order to minimize the impacts of harvest on the spawning stock, a recreational bag limit of one fish should be maintained, and no options for higher bag limits should be included in the Addendum.

III SUMMARY

In view of the above, I ask that, in preparing the Addendum, the Management Board

- Provide for the incorporation of the Updated Reference Points into the Management Plan;
- Include options for harvest reductions greater than those recommended by the Technical Committee; and
- Not include options which provide for recreational bag limits greater than one fish.

In making the above recommendations, I note that the next benchmark stock assessment should be presented to the Management Board in 2018, the same year when the majority of the 2011 year class

⁹ *Ibid.*, Durrell and Wheedon

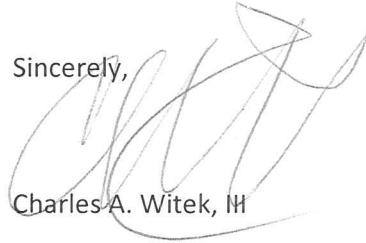
¹⁰ Setzler-Hamilton, Eileen and Hall, Lenwood Jr., *Striped Bass*, p. 13-5, available at http://www.dnr.state.md.us/irc/docs/00000260_13.pdf

¹¹ *Ibid.*

should be recruited into the coastal fishery. Thus, in preparing the Addendum, the Management Board can and should concentrate on the current state of the stock, and the below-average recruitment which occurred over most of the last ten years. It need not speculate as to any positive impacts that the 2011 may have on the spawning stock in the future, as such impacts are best addressed after such year class is recruited into the coastal fishery, and the 2018 benchmark stock assessment provides a solid basis for any management action.

Thank you for considering my views on this matter.

Sincerely,



Charles A. Witek, III

CHESAPEAKE BAY ECOLOGICAL FOUNDATION, INC
11 Bay Street Suite 1B
Easton, MD 21601
410-822-4400
www.chesbay.org
chesbayorg@verizon.net



OLDER FEMALE STRIPED BASS DECLINING **RELEASE YOUNG FEMALE STRIPERS**

By: Jim Price

Managing striped bass in the Chesapeake Bay can be complicated when deciding size and creel limits because the productivity and health of the species needs to be considered. The first priority of our fishery managers should be to maintain sustainable populations of healthy fish. Chesapeake Bay Ecological Foundation (CBEF) is encouraging fishermen to voluntarily help protect the young female striped bass spawning stock since the number of adult migratory females over 28" has significantly declined. Recent research by CBEF has established that large numbers of young mature females under 28", re-entering the Chesapeake Bay to spawn, are being caught by the commercial gillnet fishery in Virginia's portion of the Bay during late winter-early spring.

Most immature female striped bass migrate to coastal waters before reaching 16". The Chesapeake Bay minimum size limit of 18" protects these females until they migrate to coastal waters, where a 28" minimum size limit protects them until they return to feed and spawn in the Chesapeake Bay. Fishermen could protect large numbers of mature, young females that spawn as late as early summer before returning to coastal waters, by releasing all striped bass 22"-28" through July 31st. Starting August 1st, fishermen could target all legal size (18" minimum) striped bass, since approximately 90% of those remaining in the Chesapeake Bay are males.

Over the past two decades, the natural mortality rate of striped bass in the Chesapeake Bay has been rising, and malnutrition and bacterial infections have increased during summer through early fall - a period of low prey abundance (primarily anchovy and blue crab). Historically, from fall through winter, striped bass approximately 16" and larger fed heavily (primarily on menhaden) and gained considerable weight. When menhaden were abundant, striped bass over 18" caught during late fall and winter, were typically healthy and in optimal condition. When judging the state of the Bay, the resurgence in numbers of striped bass has been cited as an indicator of improved conditions. However, the best indicator of an ecologically sound Chesapeake Bay would be striped bass and other predatory species remaining nutritionally healthy year-round.



STRIPED BASS HEALTH AND PRODUCTIVITY LINKED TO MENHADEN MANAGEMENT

Responding to historically low levels of Atlantic menhaden, the Atlantic States Marine Fisheries Commission (ASMFC) approved Amendment 2 of the Interstate Fishery Management Plan for Atlantic Menhaden in an attempt to prevent “overfishing”. In 2013, Amendment 2 established a total allowable catch (TAC) of 170,800 mT for the menhaden fishery, only 20% less than average landings from 2009 to 2011. Menhaden are the most important food source for many Atlantic coast fishes, birds and mammals and are essential to striped bass health. ASMFC implemented the TAC because **overfishing was found to be occurring**, not because of impacts and implications menhaden have on estuarine and marine ecosystems. A minimum size for menhaden should be established for the purse seine reduction fishery and TAC reduced until age 0 menhaden recruitment provides adequate prey to maintain the nutritional health of Chesapeake Bay striped bass and other menhaden predators. The Chesapeake Bay and Atlantic coast ecosystems could be more productive if the menhaden population was **ecologically sound**.

Since 2006, the Chesapeake Bay Ecological Foundation (CBEF) has conducted a year-round Predator/Prey Monitoring Program (partially funded by U.S. Fish & Wildlife Service and MD Department of Natural Resources), studying interactions of striped bass and their prey while monitoring diet, body fat, sex ratios and bacterial infections of more than 12,000 striped bass in Chesapeake Bay and mid-Atlantic coastal waters. CBEF determined that menhaden are **ecologically depleted** (insufficient numbers to provide adequate prey for dependent predators) in the Chesapeake Bay and along the mid-Atlantic coast. To advance **ecologically based fish management**, scientists from NOAA, MD and WV Universities, MD DNR and NMFS are testing bio-analytical methods and/or using observational body fat indices to promote the use of science-based **biological reference points** for monitoring the nutritional status of striped bass. The ASMFC and the Chesapeake Bay Program should conduct a Predator/Prey Monitoring Program, with support from NMFS, to help determine if the ecosystem is healthy and the menhaden population is ecologically sound - a primary goal of Amendment 2.

ASMFC has not resolved the problem of **ecological overfishing** (unsustainable harvest levels that disrupt the natural balance between predators and prey). Chronic overfishing by the purse seine reduction fishery has resulted in few menhaden (lifespan 10-12 yrs) surviving past age 3. Since the early 1990's, these young spawners have not produced enough age 0 menhaden, bay anchovy numbers have collapsed, and bottom dwelling species, including crustaceans, clams, worms and several fishes (crucial summer food for striped bass), have dramatically declined from loss of habitat and low oxygen levels at deeper depths in the Chesapeake Bay during summer months. Consequently, striped bass accumulate less body fat, internal mycobacterial infections and external lesions proliferate, growth rates slow and tagging studies show that natural mortality rates increased. At about 12" striped bass begin feeding on age 0 menhaden (approx. 3+"). Most striped bass caught in Chesapeake Bay are less than 24" and primarily consume ages 0&1 menhaden less than 10". From 2006-2011, the reduction fishery annually harvested an average of 400,000,000 age 1 menhaden (43% by number) in the Chesapeake Bay region. As the menhaden population declined, striped bass winter feeding grounds shifted from NC to VA and MD waters.

Since the early 1990's, a long-term decline of Chesapeake Bay and mid-Atlantic coast striped bass prey species (primarily menhaden, bay anchovy and blue crab) has destabilized these ecosystems. This **ecological catastrophe** coincides with overfishing of two prey species (Atlantic menhaden and blue crab). In Chesapeake Bay, depletion of young menhaden resulted in increased striped bass predation on blue crab, a valuable commercial and recreational species, as well as bay anchovy, spot and white perch. In mid-Atlantic coastal waters, striped bass that fed primarily on menhaden increased predation on over-wintering adult bay anchovies which spawn in the Chesapeake Bay. Subsequently, the adult bay anchovy population (essential prey for young predators) declined to historical lows. CBEF studies, MD DNR data and peer reviewed papers conclude that year-round, menhaden and bay anchovy are crucial prey fish for maintaining a large, nutritionally healthy population of striped bass in the Chesapeake Bay and mid-Atlantic coastal waters. Restoration of the Chesapeake Bay and mid-Atlantic coastal ecosystems requires implementation of ecologically based fish management. Progress demands innovative tools and techniques, and cooperation and communication between the fishery managers, scientists and stake holders. **Atlantic menhaden should be listed as a “Species of Concern” by NOAA’s National Marine Fisheries Service.**

STRIPED BASS HEALTH AND PRODUCTIVITY LINKED TO MENHADEN MANAGEMENT

CHESAPEAKE BAY ECOLOGICAL FOUNDATION CONDUCTS FIRST LONG-TERM YEAR-ROUND STUDY ON CHESAPEAKE BAY STRIPED BASS

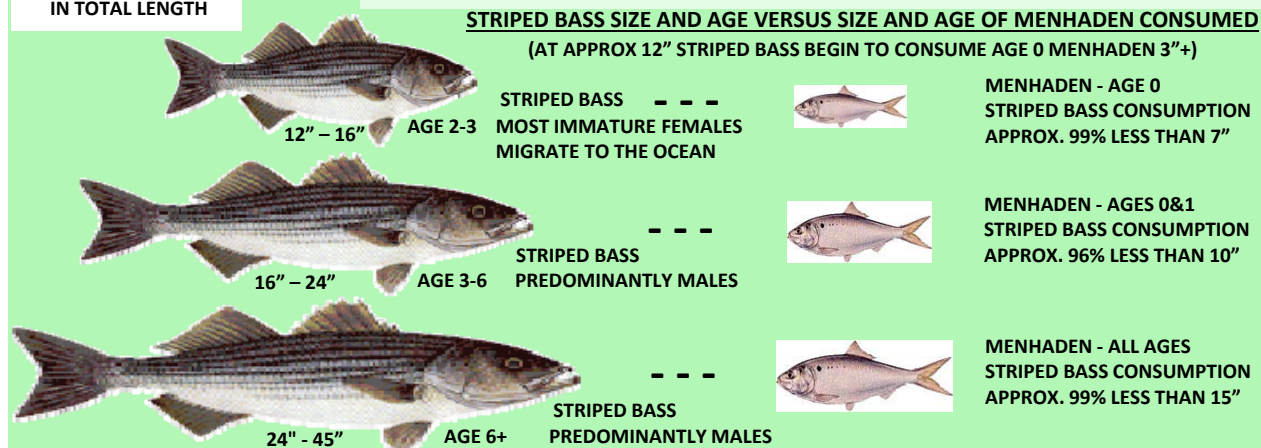
SINCE 2006, CHESAPEAKE BAY ECOLOGICAL FOUNDATION (CBEF) EXAMINED OVER 12,000 STRIPED BASS IN AN ONGOING STUDY TO MONITOR DIET, BODY FAT, SEX RATIOS, BACTERIAL INFECTIONS, REPRODUCTIVE STAGES & MIGRATIONS. IN 2013, ATTEMPTING TO PREVENT OVERFISHING, ATLANTIC STATES MARINE FISHERIES COMMISSION (ASMFC) ESTABLISHED A MENHADEN TOTAL ALLOWABLE CATCH (TAC) OF 170,800 mt.

CHESAPEAKE BAY: Since the early 1990's *ecological overfishing* (unsustainable harvest levels that disrupt the natural balance between predators and prey) of Atlantic menhaden has depleted the food supply in the Chesapeake Bay and lowered the carrying capacity of seabirds and fishes, including striped bass (major menhaden predator). Due to chronic overfishing of the spawning stock, age 0 menhaden became *ecologically depleted* (insufficient numbers to provide adequate prey for dependent predators) in the Chesapeake Bay. After spending most of their first year in the Bay, young menhaden (age 0) migrate down the Bay and south along the Atlantic coast. During the following spring thru fall, many 1 year old menhaden return to the Chesapeake Bay area. In some years during their return migration, over 400,000,000 1 year olds less than 10" are caught in Virginia's section of the Bay and nearby coastal waters by the menhaden purse seine reduction fishery (large scale harvest of menhaden for processing into fish oil and meal). Due to loss of habitat and low oxygen levels, bottom dwelling prey species in Chesapeake Bay, have dramatically declined. Consequently, Chesapeake Bay striped bass accumulate less body fat, mycobacterial infections and external lesions proliferated, growth rates slowed, *natural mortality rates increased* and predation increased on blue crab, a valuable commercial and recreational species, as well as bay anchovy, spot and white perch.

ALL MEASUREMENTS
IN TOTAL LENGTH

AGE AT MATURITY: MOST MALE STRIPED BASS AGE 2 - 3 / MOST FEMALE STRIPED BASS AGE 5 - 7 / MOST MENHADEN AGE 2 - 3

STRIPED BASS SIZE AND AGE VERSUS SIZE AND AGE OF MENHADEN CONSUMED (AT APPROX 12" STRIPED BASS BEGIN TO CONSUME AGE 0 MENHADEN 3"+)

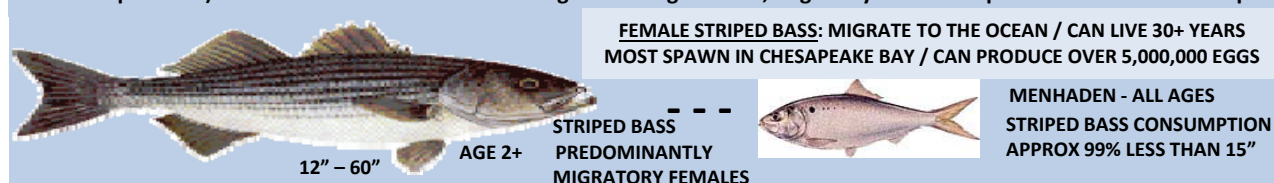


MENHADEN - CHESAPEAKE BAY AREA 2007 DATA - NMFS BEAUFORT, NC / 2009 DATA - CBEF*		
AGE	MEAN - INCHES	MEAN WT. - OZ.
* 0	*5.0	*0.7
1	8.6	4.3
2	10.0	6.7
3	12.2	11.9
4	12.8	13.2
5	13.5	16.1

ASMFC has not established a minimum menhaden size. Since the intensive menhaden reduction fishery targets ages 1 & 2, few menhaden survive past spawning age (2+). Menhaden can constitute over 75% of the striped bass diet (by weight) and are essential for their nutritional health.

LARGEST DOCUMENTED STRIPED BASS (84 LBS.) CAUGHT BY MD DNR IN CHESAPEAKE BAY 1985 / LARGEST DOCUMENTED MENHADEN (17") FOUND BY CBEF IN MALE STRIPED BASS (32") FROM CHESAPEAKE BAY 2006

ATLANTIC OCEAN: From 1988 to 1993 overfishing in the Gulf of Maine depleted the older, most prolific menhaden. Concurrently, pre-spawning menhaden were being intensively fished in the Chesapeake Bay and in Virginia and N. Carolina coastal waters. This overfishing lowered the carrying capacity of fishes, birds and mammals that prey on menhaden. Winter feeding grounds of large migratory striped bass shifted from NC to VA and MD waters as the menhaden population declined and their distribution contracted. Striped bass that historically fed on menhaden increased predation in ocean waters on over-wintering adult bay anchovy which spawn in the Chesapeake Bay. Subsequently, the bay anchovy population (crucial prey for small striped bass) declined to historical lows. During fall through winter, migratory female striped bass enter the Chesapeake Bay and compete with resident striped bass for limited prey.



MENHADEN-RECORD MEASUREMENT (NMFS)		
AGE	LENGTH	WEIGHT
12 YEARS	20"	54 OZ.

AGE 3 MENHADEN PRODUCE APPROXIMATELY 100,000 EGGS AND AGE 7+ MENHADEN CAN PRODUCE OVER 1,000,000 EGGS

LONG-TERM DECLINE OF STRIPED BASS PREY SPECIES (PRIMARILY MENHADEN, BAY ANCHOVY & BLUE CRAB) DESTABILIZED CHESAPEAKE BAY AND MID-ATLANTIC COAST ECOSYSTEMS (ECOLOGICAL CATASTROPHE). A MENHADEN MINIMUM SIZE SHOULD BE ESTABLISHED FOR THE PURSE SEINE REDUCTION FISHERY AND THE "TAC" REDUCED UNTIL AGE 0 MENHADEN RECRUITMENT PROVIDES ADEQUATE PREY TO MAINTAIN HEALTH OF CHESAPEAKE BAY STRIPED BASS. ASMFC AND THE CHESAPEAKE BAY PROGRAM SHOULD CONDUCT A PREDATOR/PREY MONITORING PROGRAM AND IMPLEMENT ECOLOGICALLY BASED FISH MANAGEMENT. THIS GOAL REQUIRES THE FORMULATION OF BIOLOGICAL REFERENCE POINTS FOR INDICATING THE NUTRITIONAL CONDITION OF INDIVIDUAL STRIPED BASS AS MEASURED BY MUSCLE-MOISTURE METERS AND/OR OBSERVED BODY FAT. HEALTHY STRIPED BASS WOULD INDICATE THE MENHADEN POPULATION IS ECOLOGICALLY SOUND. ATLANTIC MENHADEN SHOULD BE LISTED AS A "SPECIES OF CONCERN".