

**PROCEEDINGS OF THE
ATLANTIC STATES MARINE FISHERIES COMMISSION
TAUTOG MANAGEMENT BOARD**

**The Westin Alexandria
Alexandria, Virginia
August 3, 2017**

Approved October 16, 2017

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ATTENDANCE

Board Members

Dan McKiernan, MA, proxy for D. Pierce (AA)	Roy Miller, DE (GA)
Raymond Kane, MA (GA)	John Clark, DE, proxy for D. Saveikis (AA)
Sarah Ferrara, MA, proxy for Rep. Peake (LA)	Craig Pugh, DE, proxy for Rep. Carson (LA)
Bob Ballou, RI, proxy for J. Coit (AA)	Rachel Dean, MD (GA)
Eric Reid, RI, proxy for Sen. Sosnowski (LA)	Michael Luisi, MD, proxy for D. Blazer (AA)
Mark Alexander, CT (AA)	Joe Cimino, VA, proxy for J. Bull (AA)
John Maniscalco, NY, proxy for J. Gilmore (AA)	Cathy Davenport, VA (GA)
Emerson Hasbrouck, NY (GA)	Kyle Schick, VA, proxy for Sen. Stuart (LA)
Russ Allen, NJ, proxy for L. Herrighty (AA)	Lindsay Fullenkamp, NMFS
Adam Nowalsky, NJ, proxy for Asm. Andrzejczak (LA)	Mike Millard, USFWS

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

Ex-Officio Members

Jason McNamee, Technical Committee Chair

Mark Robson, Law Enforcement Representative

Staff

Bob Beal
Toni Kerns
Mike Schmidtke

Megan Ware
Katie Drew

Guests

Mike Armstrong, MA DMF
Matt Gates, CT DEEP
Arnold Leo, E. Hampton, NY
Jason McNamee, RI DEM

Derek Orner, NOAA
Jack Travelstead, CCA
Sherry White, USFWS

The Tautog Management Board of the Atlantic States Marine Fisheries Commission convened in the Edison Ballroom of the Westin Hotel, Alexandria, Virginia, August 3, 2017, and was called to order at 2:00 o'clock p.m. by Chairman Adam Nowalsky.

CALL TO ORDER

CHAIRMAN ADAM NOWALSKY: Good afternoon. I would like to convene the Tautog Management Board. Let me begin by thanking everyone that stuck around here. I'm not sure if we drew the ultimate short straw or the absolute vote of confidence here to get the last agenda item of the meeting.

APPROVAL OF AGENDA

CHAIRMAN NOWALSKY: We'll begin with going ahead and taking an approval of the agenda as presented. Are there any changes to the agenda that has been presented? I'll simply offer that it is my hope to bump these times up a little bit. We'll do the best we can. Seeing no changes to the agenda, is there any objection to accepting the agenda as presented? Seeing none; the agenda is accepted.

APPROVAL OF PROCEEDINGS

CHAIRMAN NOWALSKY: Our next order of business is to approve the proceedings from the May, 2017 Board meeting. Is there any objection to accepting those minutes? Seeing none; the previous proceedings stand accepted. The next order of business is public comment for any items that are not on the agenda. We have no one signed up, we have no hands up. We'll move along.

**CONSIDER AMENDMENT 1
FOR FINAL APPROVAL**

CHAIRMAN NOWALSKY: Just like that we're 14 minutes ahead of schedule. That brings us to Agenda Item Number 4, Consider Amendment 1 for Final Approval. Before we go ahead and get started with presentations, I'll first offer a word of thanks to Ashton Harp for her efforts in

helping get us to this point. Apparently we scared her all the way across the country.

But we have Toni Kerns standing in today; thank you, Toni for your help in the last couple weeks and seeing this item through. I'll note that there has been some communication that has been sent out this week to members of the Board; regarding our plans. We do have this item here for final action today; so that is an option.

However, as per the memo that was sent out through a combination of summer schedules and response to public comment, there have been requests from just about every state involved in this amendment process for a little bit more time to develop some options. What our goal here today is going to be, to go through the presentations as we have them.

We'll review the presentation for the amendment, review the public comment presentations, AP report, Law Enforcement report, and then we'll go through the document. We had sent around a set of the items we would definitely like to see action taken on here today. We'll have discussion about those items that we think could wait until the annual meeting; with potentially not taking final action until then, but it will ultimately be up to the Board. Are there any questions about what we hope to do here today? All right, seeing none; I'll go ahead and turn the microphone over to Toni to present the presentation on the amendment, followed by public comment.

**REVIEW PUBLIC COMMENT AND
MANAGEMENT OPTIONS**

MS. TONI KERNS: What I have done is I have actually combined the presentation of the options and the public comment into one; to be most efficient. I did pull, as Adam mentioned there were some items that we've had some requests from states to do delays on, basically most of Section 4.2, which is all of the regional management measures.

I pulled the public comment slides from those here. If you want me to go over them today I can, or I can wait to go over them at the next meeting when we actually are considering those options. For now I am not going to go through what the public comment was on those; unless I'm asked to, so moving on.

Even though it says we had a hundred and something comments in my summary, I apologize for the bad math. We really only had 36 written comments; 21 of those were from individuals, 8 were from groups, and 2 were form letters. Those form letters totaled 7 comments. We also had one petition with 317 signatures on it.

The document is a full amendment. It has revised goals and objectives, biological reference points, options for fishing mortality targets, probabilities of achieving the F target, F reduction schedules, and stock rebuilding schedules all in Section 2. First the management document, the goal is to sustainably manage tautog over the long term; using regional differences and biology and fishery characteristics as the basis for the management.

Additionally the amendment seeks to promote conservation of enhanced and structured habitat; to meet the need of all life stages of the tautog. That is what the revised goal is. There are two options; either to maintain the 1996 goal or to approve the revised goal. There were five written comments in favor of the 1996 goal, and two comments in favor of the revised.

In general the state of Rhode Island and Maryland were in favor of the revised goals, and the state of Massachusetts was in favor of the status quo goals. I was not at the public hearing, so I had to take the notes from the summaries to try to figure out counts and numbers. If I couldn't figure out exact counts from those hearings I just put exes where I thought there was general favorability for something. I apologize in advance if I misinterpreted what

happened at your hearings; but it was hard for me, since I was not there.

MR. NOWALSKY: Did you want to stop for a question?

MS. KERNS: I'll go through the whole thing.

CHAIRMAN NOWALSKY: Give me just a minute. Dan, did you have –

MR. DAN McKIERNAN: Just a point of clarification. Toni, you said that the state had a position. But I think what you meant is people at a hearing in that state had a position, right?

MS. KERNS: Correct; the people at the hearings in those states. For objectives, the objectives options were to either maintain the 1996 objectives. Options B through G were specific modifications to objectives; and Option H would insert all of the modifications to the identified options in B through G. There were five written comments in favor of maintaining the 1996 objectives; as well as five individuals that had a range of favoring any of the options of B through G. One individual that favored changing all of the objectives and the state of Maryland's hearing attendees were in favor of changing all of the objectives, Option H.

For biological reference point, the document had two options. One is to stay status quo. The reference points can be modified via management document, and the second option was reference points can be modified via Board action. The TC or SAS could make a recommendation to alternative reference points; as long as the modification to the status determination criteria and their associated values were the result of a peer reviewed stock assessment.

In response to that the Board could take action to set new reference points based on that peer reviewed results. For the comments, we had nine comments in favor of maintaining that reference points had to be modified via

management document, and two commenter's in favor of making changes via Board action.

For the mortality targets, Option A is status quo. We would have a coastwide fishing mortality target; and Option B is to manage the regional target based on F. If the current F exceeds the regional threshold the Board would have to take corrective action via management document within a certain time period.

There are three sub-options here for the B option, one being no time requirement, two being action within a year, and three being action within two years. Based on the request from the states to delay some actions, it was staff's recommendation to not take action on the actual sub-options here today; but you could make a determination of whether or not you wanted to manage based on a coastwide F or a regional F, just as an FYI.

Public comment here; we had eight commenter's in favor of Option A, a coastwide target. We had ten people in favor of regional F targets. One person thought we should not have a timeframe, and then three people plus the folks at the Virginia hearing were in favor of the one year, and seven people were in favor of action within two years.

Next is looking at the probability of achieving the F target. There are two options; status quo and a 50 percent probability of achieving an F target. Currently under status quo there would be no probability associated. We had ten people in favor of remaining status quo, and five people in favor of the 50 percent probability; as well as the folks at the Rhode Island hearing were in favor of the 50 percent probability.

Next is looking at the F reduction schedule. This sets a timeframe for which the Board initiates a harvest reduction or the management response. Option A is looking at status quo; there is no timeframe. Option B is three years, and Option C is five years. For the commenter's we had three people in favor of three years, plus the

folks at the Mass hearing, and eight people in favor of five years.

For how the stock rebuilding schedule is developed, we have Option A status quo, there is no required management response if SSB is below the threshold. Option B is a stock rebuilding schedule can be developed to be an addendum and Option C similar, it would be developed via an addendum; but it would not exceed ten years. There is no timeframe associated with Option B. We had seven folks in favor of Option A, status quo, no management response required. For B we had five people in favor plus the individuals at the Mass hearing, and Option C the addendum with the timeframe of ten years with three individuals.

Moving on to Section 4, which are the management measures, for today I think there are just a couple of things we're looking at here. First the concept of whether or not we would manage via a coastwide management, which is status quo Option A; or whether the Board would move to regional management based on the stock assessments, and it would be the four regions, the Mass/Rhode Island and then Long Island Sound, then New York/New Jersey Bight, and the DelMarVa area.

For Option A, status quo coastwide management, all of the participants at the New York hearing, which was roughly 80 individuals, were in favor; plus then the seven other commenters' as well as the individuals at the Connecticut hearing. Then for regional management, those individuals at the Mass and Rhode Island hearings expressed interest as well.

Then, sorry I didn't total these up so I'm counting in my head as I speak. It is 23 individuals were in favor of regional management. Then, if regional management is chosen, then looking at Long Island Sound and determining where we would want to break the boundaries for that Long Island Sound management over on the edges.

In both the Connecticut and New York hearings they were not in favor with regional management; or in the New York and New Jersey hearings they were not in favor of regional management, so they did not comment on which option they favored on where the split should occur. One of the folks at the Connecticut hearing they said either would work; as well as the AP members were also concurring with that exact sentiment that happened at the hearings as well.

Looking at commercial quota, Option A is status quo. We would not have any specified procedures to do commercial quotas. Option B puts forward commercial quota procedures. A state or region could implement an annual commercial quota following the procedures that are identified in the document and Board approval is granted.

The decision making to include a quota could be within that regional group, and then they would also have to make decisions about quota rollover, transfers and how to deal with overages; if a quota is utilized. For what we heard from the commenter's, and there were six people in favor of status quo; do not establish quota procedures.

Then there were four people in favor of establishment of quota procedures, and the folks at the Maryland hearing were generally in favor of this. Then next is looking at a possible commercial harvest tagging program and whether or not we would implement one or not. Status quo would be no tagging program, and Option B would be to implement a harvest tagging program.

The individuals at the New York hearing were not in favor of a tagging program; and there were eight commenter's not in favor of. Then for Option B, individuals at the Rhode Island, New Jersey, Delaware, and Maryland, hearings were generally in favor. Then we had 12 individuals that wrote in or commented specifically in favor. Then lastly is looking at how those tags would get

applied. The tags could be applied either with the harvester application or either at harvest or prior to offloading. Either would suffice under this option, or under Option B the application would be done by the dealer. The majority of the commenter's were in favor of either harvester application at harvest, or prior to offloading.

Those individuals at the Mass hearings were the only ones that commented in favor of application by the dealer. Also in general, some of the comments that were heard were that folks were in favor of recreational and commercial spawning closures. Pot restrictions are needed, as well for the pots that fished for tautog constantly all the time, as well as there should be artificial reef programs funded that would help support tautog habitat; and help to rebuild the stock.

Then because we had the request to delay specifically the regional management measures, in order to have some additional time to either develop additional options, try to come to consistency, or to spread out the timeframe in which some of the reductions need to be occurring; particular in the Long Island Sound area.

Today what we're looking to do is approve some of the options; and then come back in October, look at the remaining options, and make choices and then do a final approval of the document in October. Mark would have the Law Enforcement Committee report if there are no questions on the actual public comments.

CHAIRMAN NOWALSKY: Okay, so thank you for that Toni. Before we go forward with the next report, let me ask if there is any objection to ending that presentation there and not covering those items that we don't expect to have final action on until the annual meeting; which would be the individual, regional measures.

Does anybody feel the need to see those presentations today, or those can wait until planned decision making on that? Okay, I'm not

seeing any objection to continuing as we are. Let me stop there for a moment. Are there any questions for Toni about the information presented about the contents of the Amendment sections as presented, or about the public comment? Raymond Kane.

MR. RAYMOND W. KANE: Toni, can you go back to that slide where we're talking about the tagging program, please?

MS. KERNS: Do you want the application or the actual tagging program?

MR. KANE: The application. Yes, so I see we're the lone state. Can the other states give us a suggestion at this table right now how they would plan on distributing tags to individual harvester's, so that might be something I could take back to our harvesters?

CHAIRMAN NOWALSKY: Well, I think that would be a question for the Board if there is anybody wants to chime in on that right now; or when we get to the section and decision making on that and we get a motion up. We would expect further discussion at that point, right; any additional questions right now? Dan.

MR. McKIERNAN: Not to rush ahead on this, but when would Toni like the states to submit the proposals for the biological measures?

MS. KERNS: The revised proposals?

MR. McKIERNAN: Yes.

CHAIRMAN NOWALSKY: It's probably me more than Toni. What my intention is; once we go through these items that we can hopefully come to decisions on today, will be to just go back to each of those sections and just generally bring the Board up to speed on what each of those regions is discussing.

I think the goal we would need by the middle of September, to answer your question directly, and I'll reiterate that again. Whatever revised

proposals that would be a timeline we would be looking at. Again, my intent is to come back to each of those sections and just see if there are any general questions, and make sure everybody is onboard with how each region is hoping to proceed. Joe.

MR. JOE CIMINIO: With that timeline is the idea that once they're received the Technical Committee will have a chance to review; but the first time the Board will see them is at the November meeting?

CHAIRMAN NOWALSKY: The intent would be for TC to review them. Now whether these proposals are developed with TC membership as part of that decision making process, and get a general sense from the TC that that is acceptable review, or whether we submit the entire proposals for a formal TC review. I think is going to depend on the scope of what we get back at that point.

We can certainly go ahead and distribute those items for review prior to the Board meeting; which would be one of the goals of getting those ironed out, with substantial time left prior to the annual meeting. Are there any other questions before we go to Mark? Okay Mark, Law Enforcement report.

LAW ENFORCEMENT REPORT

MR. MARK ROBSON: We have provided a written memo for you; it should have been in the briefing package, summarizing Law Enforcement Committee comments. The date of the memo is July 11, but it actually covers a series of opportunities for the LEC to review this issue; in regards to defining a boundary line for the eastern end of Long Island Sound, which was first brought to us by Ashton back in March in a teleconference call.

Then at our May meeting we had an opportunity to actually look at some maps and discuss it at the LEC meeting in more detail. Then once again, in follow up on a June 29 teleconference call. At

that last teleconference call, we basically reiterated the position that we had taken previously, expressing some precautionary comments regarding how do you establish a line across open water that is clearly definable and clear to the fishermen and also supportable in court cases?

Once we looked at the two options for drawing that line on the east end of Long Island Sound, we suggested that both were acceptable; but it would be preferable, at the time we called it Option 6. I believe now in the document it's Option B2, Sub-Option B2, because that line has a few more island or land-based references that you can use for line of sight; making it a little bit clearer when you're trying to define where somebody is fishing, either on one side of the line or the other, which is important in making court cases. Again, some of the concern for this line in general was that you are looking at potentially different regulations in Long Island Sound; the ocean side of Long Island, and perhaps even in Rhode Island waters.

LEC members familiar with those waters report that vessels both recreational and commercial are regularly moving back and forth among those three areas. Depending on what kind of differences in regulations occur, that could have a bearing on how many resources are going to be required to maintain coverage for that boundary line at the east end of Long Island Sound.

It kind of segue ways into the other option that we did comment on; and that's regarding the commercial tagging program.

Of course we've been working with the Law Enforcement Subcommittee on the tagging issue. We still continue to support commercial tagging for tautog; and with this particular document we also wanted to reiterate that particularly in the case, where you have this eastern end of Long Island Sound and you have vessels moving back and forth in different zones.

Once again, it reinforces the point that we were making that the sooner that those fish are

tagged from the point of harvest the better. Our recommendation would continue to be that you adopt a provision to have those fish tagged as close to the point of harvest as possible; recognizing that that may in the end not be possible.

There were a lot of concerns expressed by the LEC members with any dealer tagging as really reducing your ability to monitor compliance with those tag requirements. All of that is again summarized in the July 11 memo. That concludes my report, Mr. Chairman.

CHAIRMAN NOWALSKY: Thank you very much for that report. Are there any questions on the Law Enforcement report? Eric Reid.

MR. ERIC REID: Just one question. If you look at Page 69 you have Long Island Sound Option 5 and Long Island Sound Option 6, and you prefer Option 6. Is that what I'm getting out of that? Then if you look at New Jersey/New York Bight Option 5, it is different from Long Island Option 6; they are two different things.

MR. ROBSON: Well, at the May meeting we looked at two maps identified as Option 5 and Option 6. I just noticed in the presentation today that it looked like they were identified as Sub-options B1 and B2. Sub-option B2, where the line for the Long Island Sound boundary is drawn using those points of land and the islands there. That's the one that Law Enforcement would prefer. Both of them are acceptable; they are going to create some enforcement challenges.

CHAIRMAN NOWALSKY: In the document itself, Eric, Long Island Sound Option 5 is Sub-option B1. The graphic labeled Long Island Sound option 5 is text Sub-option B1, and graphic labeled Long Island Sound Option 6 is labeled as Sub-option 2, and I believe Law Enforcement has expressed a preference, or at least has offered some advantages for what's text labeled Sub-option 2, and graphically labeled Long Island Sound Option 6.

MR. REID: Okay Mr. Chairman, I appreciate that. Basically, New Jersey/New York Bight Option 5, is not what Law Enforcement prefers at this time.

CHAIRMAN NOWALSKY: When you're looking at the New York/New Jersey Bight Option 5, you would only be looking at the purple area there.

MR. REID: Yes, but it is not the same as what they prefer.

CHAIRMAN NOWALSKY: Toni.

MR. REID: The one they prefer has basically the range of islands. They're different.

MS. KERNS: I will help, Eric. I think that when, I can't remember who actually created these charts for us, but when they were originally created we had only had the first Long Island Sound Option 5. They just automatically created the New York/New Jersey Bight based off of how we split Long Island Sound.

Whatever we decide to do with Long Island Sound, the New York/New Jersey Bight map will be altered appropriately to account either for that extra water body within the Bight or not. We didn't have the person recreate another map for us; since they had already done a lot of work for us.

CHAIRMAN NOWALSKY: Mark.

MR. ROBSON: Again, the reason they like what is Sub-option B2 there better than 1, is because it does have that chain of islands, so you have more line of sight on a line. Plus I believe that is the option that is essentially the COLREGs line; which is something a little easier to manage.

CHAIRMAN NOWALSKY: I can certainly understand your confusion, Eric, and the reality is that there is essentially two options from New York/New Jersey Bight based on what would be selected for Long Island Sound; we good?

MR. REID: Yes, we're good.

BOARD DISCUSSION

CHAIRMAN NOWALSKY: Okay, thanks for that; any additional questions? Okay. Seeing none; I believe that will take us into discussion about the document. Again, Toni was kind enough to send an e-mail around that basically itemized what sections, which apples we're going to take bites at here today. We'll go through each section. We'll get that slide back up on the screen. We will need a motion for each item.

Each of these individual items will simply require, I'll ask for whether or not there is any objections on those or not; and we'll see what progress we can make. The first item we would like to tackle would be reflected in Pages 48 and 49 of the Amendment itself; which if I jump over to the meeting materials, again keep in mind the page and the PDF may be different.

But these will actually be 48 and 49 in the amendment itself. We'll start out with the goals. We've got two options here, Option A for status quo; which would be to maintain the '96 goals, Option B, the revised goal statement as written in the amendment. Discussion and/or a motion on how to proceed with this section, I'll turn to John Clark.

MR. JOHN CLARK: Move to approve Option B; revise goal statement in Section 2.2.

CHAIRMAN NOWALSKY: Do we have a second to that; seconded by Mike Luisi? We'll get that up on the board here in just a moment.

MS. KERNS: While he's getting that up on the board, on the back table there is a cheat sheet of all of the items in the document; if anybody needs that staff could run over and grab those and get them, or you could run over and grab them. It doesn't matter, if anybody needs one. There are also copies of the draft, just the short version of the draft document; so you only have the stuff that we're actually taking up to vote, if you want that to cheat on as well.

CHAIRMAN NOWALSKY: Thirty seconds to grab cheat sheets. While we're grabbing cheat sheets, I'll turn for discussion on this motion. Emerson.

MR. EMERSON C. HASBROUCK: Does Option B lock us into regional management? I mean Option B says that we will use regional differences in biology and fishery characteristics; or whatever the exact language is, as a basis for management. Does that lock us into regional management?

CHAIRMAN NOWALSKY: It is my understanding that while it does in fact use those terms, it does not. We still have to select or have the option to select regional options moving forward. I would just offer that should we do something when we get to the regional management section, which we do intend to tackle today.

That may cause reconsideration on this topic. But it doesn't specifically lock us into it. Again, it's a goal. A goal doesn't necessarily mean it's what we do immediately. But something this Board has talked about striving for. Additional questions about this motion. Okay I'll read the motion; move to approve Option B, revise goal statement in Section 2.2, motion by Mr. Clark, seconded by Mr. Luisi. I'll give us five second to caucus.

Let me ask; is there any objection to this motion? We're going to give this 30 more seconds. Here is the route I'm going to take, given the discussion I see going on around the room. **We're going to do this with a show of hands. All those in favor of the motion please raise your hand. Put your hands down, please; anyone opposed to the motion raise your right hand, any null votes, and any abstentions? Okay motion carries.** Thank you very much.

Next section will be 2.3 Objectives; here we have one course of action would be Option A, status quo, maintain the 1996 objectives. Then we have a series of other options; which are Options B through H, B through G take individual actions

with the objectives. Option H incorporates all of the changes that are incorporated in B through G.

Our options for action on this item would be Option A, status quo, Option H, which incorporates everything, or some combination of B through G. Those would be our three courses of action in this section; discussion and/or a motion on this section. I'll turn to John Clark.

MR. CLARK: Move to approve Option H; accept Options B through G into Section 2.3 objectives.

CHAIRMAN NOWALSKY: Okay motion by Mr. Clark, seconded by Eric Reid; discussion on the motion to accept Option H, which would accept Options B through G for the objectives. Seeing no hands; I'll read the entirety again. Move to approve Option H; accept Options B through G into Section 2.3 Objectives, motion by Mr. Clark, seconded by Mr. Reid. **Is there any further discussion on the motion? Seeing none; is there any objection to this motion? Seeing no objection the motion is approved by consent.** Thank you very much.

All right, our next section will be Section 2.5; Biological Reference Points. Just for clarities sake, we're not actually selecting biological reference points here. What we're specifying is how biological reference points can be modified moving forward. We've got two options here. Reference points would be required to go through a management document, which would be an addendum or an amendment; Option B, which would allow reference points to be modified via Board action.

Pages 53 to 54 basically spell out what that process might be; including how we would review scientific advice, peer review, et cetera. I would also like to point out that by selecting Option B this would not preclude the Board from initiating a management document; an addendum or an amendment, should they feel the need that that change in reference point is

significant enough that we need to go through some public process. Do I have any discussion on this section or a motion on these options? First hand up I saw was Roy Miller.

MR. ROY W. MILLER: I move to accept Option B; reference points can be modified via Board action.

CHAIRMAN NOWALSKY: Okay I have a motion for Option B, do I have a second for that; seconded by Emerson Hasbrouck? I'll give staff a moment to get that up on the board, also offer Delaware a word of thanks for taking the initiative on moving this along. Okay so we have a motion; move to approve Option B in Section 2.5 Biological Reference Points, motion by Mr. Miller, seconded by Mr. Hasbrouck; discussion on the motion.

Okay seeing no hands up are there any objections to the motion? Seeing none; the motion stands approved by consent. All right, our next item will be Section 2.7.1 Fishing Mortality Target. Again, this is not an item where we're selecting a specific F. But what we're selecting here would be how the Board would respond to scientific advice that we get that would call for a change to F.

We've got Option A, Status Quo; coastwide fishing mortality cannot exceed the F target of 0.15. That would be the first option. Option B would be managing to a regional F target, and selection of Option B would require selection of a time requirement, either no time requirement in B1, B2, Board action within one year, and Board action within two years.

I would just like to turn to staff for a moment to get clarification where these items state the Board must initiate corrective action via management document within either one year or two years. That would not call for that management action necessarily being completed in that time, nor would it call for that management action having those impacts go into effect. Typically we go through an

addendum process takes multiple meetings, and then has an implementation date. Just to be clear, it is my understanding that both of these options would allow for the completion of those documents and the implementation date to go beyond these timeframes; but these specifically call for when those documents would be initiated.

MS. KERNS: You are correct, Adam.

CHAIRMAN NOWALSKY: Okay, hope that's clear; discussion or a motion on this section. I looked left, but I'm pulled back right. John Clark.

MR. CLARK: I've got the motion sheet in front of me; so I would like to move to approve Option B, managing to the regional target F. Oh, am I in the right one? Yes, okay, and Sub-option B2, Board action within one year in Section 2.7.1 Fishing Mortality Target.

CHAIRMAN NOWALSKY: Okay, motion by Mr. Clark for Option B, managing to regional target F with Sub-option B2, Board action within one year. I have a second from Bob Ballou. We'll get that up on the board; while that's going up, discussion, Mike Luisi.

MR. MICHAEL LUISI: Just a question, because we're not going to know F each and every year, if three years go by and we look back in retrospect to an assessment update, and we notice that a year prior to the terminal year F exceeded the threshold. However, the terminal year of the assessment F is maybe between the target and the threshold, or even below the target.

Are we going to be inclined to go forward with some type of action? Would a trigger be set in the event that the terminal year F is not above the threshold, yet a prior year is? Just having dealt with this with striped bass and the ongoing saga about where we stand regarding fishing mortality. For my own edification I would like to understand how assessments would be applied to this option.

CHAIRMAN NOWALSKY: I'm going to first say that the document specifies current F. But for clarity on what current F is, I'll turn to Toni.

MS. KERNS: I'm going to let Katie give me a head nod. But I believe what the TC has been doing is using the average of the last three years to give you your current F. Your current F would be the average of the last three years. Joe is giving me a head nod.

CHAIRMAN NOWALSKY: Katie is coming to a microphone.

MS. KERNS: I told her I wouldn't need her, but I guess I was wrong.

DR. KATIE DREW: Yes, it is the average of the last three years; so if the assessment ended in 2015, it would be the average of '15, '14 and '13 would be the value that you would compare, and need to bring down.

CHAIRMAN NOWALSKY: My interpretation of that is if the F in one of those years that would not be enough to trigger this management action. We would need the average of those three years, which we would call the current F, which is what the document refers to.

DR. DREW: Yes that is correct.

CHAIRMAN NOWALSKY: That's the most current information we can give you. Dan McKiernan.

MR. MCKIERNAN: That is a great explanation, but is it necessary for folks who are going to read this document months and years from now to somehow have that in the document that F is going to be calculated on a three-year-moving average?

MS. KERNS: I can add it in.

CHAIRMAN NOWALSKY: I guess the question would be, since we're not planning to take final action today to either add that in, or do we leave that out should there be some future review of

how the TC calculates current F, i.e. average of a longer period or a shorter period or something else?

I think that would be the question is that yes, we could put it in here so we clearly know or perhaps we could reflect it as of this document, current F the TC uses average of the last three years; but that may be subject to change in the future. Is there a preference from the Board on how we outline that right now? Again, we got an answer today, and I think that is very good to have that written in Microsoft Word or Adobe PDF. But that may change in the future. Katie.

DR. DREW: I think to that point, part of the reason that we are able to or allowed to is that three-year average was approved by the peer review process. If we go through another benchmark process and the definition of what the F should be changes based on peer review advice, and then maybe we would not want to include it; and just understand that current F is the reflection of the best available advice coming out of the stock assessment, whatever that is.

CHAIRMAN NOWALSKY: Okay, so what's the pleasure of the Board? A couple options I see here are one, to add nothing additional and just leave it as current F, another option would be to include information that that refers specifically to the three-year average. Then the question beyond that would be whether or not we're going to include in the document that that is just currently how it's done, and it may change in the future. I saw Emerson's hand.

MR. HASBROUCK: My hand was up for another issue, so why don't you resolve this first and then come back to me.

CHAIRMAN NOWALSKY: John, I saw your hand on this.

MR. CLARK: Same thing. I just realized the motion didn't include one part of this part of the document. Whether this is status quo, or we're going to put a 50 percent probability of achieving

F. Without having that in there I assume it falls to status quo.

CHAIRMAN NOWALSKY: Our goal is to make a decision on that at the annual meeting, because that will impact the projections. Eric Reid.

MR. REID: That being said, why don't we just leave it the way it is, because we can always fix it at the annual meeting.

CHAIRMAN NOWALSKY: Okay, so I've got a recommendation to just leave the document as is; referencing current F, and we've got a matter of record the discussion here today. Okay not seeing any desire to change that. Is there any further discussion on the motion; Emerson Hasbrouck?

MR. HASBROUCK: I have a question and then I have a motion. My question is, for both the status quo option and Option B. Where does that leave us if F is between the threshold and the target; because they're both managing to the target? Right, we can't exceed F target. But the F value can be higher, can exceed the F target value, but still be below the threshold.

CHAIRMAN NOWALSKY: The document offers that if current F exceeds the regional threshold, the Board will take steps to reduce F to the regional target level; with the timeline that we have in the motion. If the current F exceeds the target but is below the threshold, which is I think the area to which you're referring.

The Board should consider steps to reduce F; should not shall, not required to, and no specific timeline. That is what we have currently is if it is in that area that I think you're referring to, the advice that the Board should take action; but no further specific direction.

MR. HASBROUCK: Right thank you for clarifying that. I understand that for Option B. Under Option A, which is status quo, what happens if F is between the target and the threshold; because it says it shall not exceed F target? But we can

be below the threshold, but the value is still going to be above the target.

CHAIRMAN NOWALSKY: Toni.

MS. KERNS: There is no threshold in the old amendment. It's just a target. That is all there was. There is only a coastwide target, and if you went above then you had to take action. Remember this plan has not been modified since 1996.

CHAIRMAN NOWALSKY: We had a single F. When we would get a new benchmark the Board would consider taking action; based on that benchmark. That is what we've been doing, well not me; that is what the Board has been doing for the last 20 years. I'm working on getting there.

MR. HASBROUCK: Then my motion then is to whatever the proper wording is, delay. I don't want to say table this motion, but to delay action on this motion.

CHAIRMAN NOWALSKY: I'm getting the sense you actually want to postpone it.

MR. HASBROUCK: Postpone, thank you. To postpone action on this amendment, or this issue rather, on this specific issue until we've decided what we're doing with regional management. I think in a way we're putting the cart before the horse a little bit here. Right, because this says that we're going to manage to the regional target F; and we haven't had any discussion about regionality yet, other than the question I asked before.

CHAIRMAN NOWALSKY: Okay, so motion to postpone action on this issue until the Board decides on whether we're managing this regionally. Is that what you're looking for? In that case, I would actually recommend a motion to table; since we plan to decide on regions today. We're going to have that discussion, so if you would like to do so I would entertain a motion to table this; and we've got one other

section to get through and we would then come back to this if you would like to do that.

MR. HASBROUCK: Yes, whatever is proper under Robert's Rules.

CHAIRMAN NOWALSKY: What Emerson is proposing is that we table action on this motion until we get through Section 4.1; which we hope to get through today, which would be the regional boundaries decision. We've got a motion to table. We would need a second, and just a reminder that that would not be debatable. We would immediately vote on that.

Motion to table action on this issue until Board decides on regional management, Section 4.1; motion by Mr. Hasbrouck, seconded by Mr. Ballou. Okay again there will be no discussion on this. I'll ask is there any objection to doing so? All right, seeing none; the motion to table passes, and we will temporarily move on from Mr. Clark's motion.

The next item going through here sequentially again was Probability of Achieving F Target; which again as per the discussion we had just a moment ago, the plan is to not tackle that today, unless there is anyone who wishes to do otherwise. Okay I'm not seeing any inclination to do so. The next section in the document would be 2.7.2, the F reduction schedule.

This is another area that we felt was best left to the annual meeting; which would provide some opportunity to develop those other options we've mentioned. Unless there is any objection, we're going to hold off on 2.7.2 until the annual meeting. Seeing no objection; that will bring us to 2.7.4 on Page 56 of the amendment, Stock Rebuilding Schedule. Again, the stock rebuilding schedule here, this section seeks primarily to define how the management action would be to achieve that rebuilding.

The first option is status quo, no management responses if SSB is below the threshold. Option B is a stock rebuilding schedule could be

developed via addendum, and then Option C would say the rebuilding schedule can be developed via addendum. But that rebuilding schedule could not exceed ten years; discussion or a motion on this section. John Clark.

MR. CLARK: I'll try to get it right this time. I move to approve Option B in Section 2.74 Stock Rebuilding Schedule.

CHAIRMAN NOWALSKY: Motion from Mr. Clark in 2.74 Option B, a stock rebuilding schedule can be developed via an addendum; and that would not have a timeline on that rebuilding schedule. Do I have a second for that motion? Dan McKiernan. Is there discussion on the motion, Bob Ballou?

MR. ROBERT BALLOU: I would just ask the maker of the motion why you would not opt for Option C, and that would provide for a rebuilding schedule that would not exceed ten years. I'm just curious as to your reasoning for not favoring that approach.

MR. CLARK: Well, just personally when I looked at these. I mean we have made a decision with this amendment not to manage to rebuild SSB, but to manage F; at least my understanding of it is. I mean granted ten years is not really putting us in any type of straight jacket at all. But I just figure it's optional no matter what; but at least this gets us beyond the status quo of not having to do anything about SSB. This gives us the option to do something about SSB. But if the Board decides that they would rather go with Option C that is fine with me also.

CHAIRMAN NOWALSKY: Mark Alexander.

MR. MARK ALEXANDER: I support this option. I think even ten years for a fish with the life history of tautog could challenge us at times. I think this would be an appropriate option.

CHAIRMAN NOWALSKY: Emerson Hasbrouck.

MR. HASBROUCK: I would also like to move to table action on this motion until we've decided what we're going to do with regional management. This option specifically says; the Management Board will evaluate the current estimates of SSB with respect to the regional reference points.

CHAIRMAN NOWALSKY: Okay so that would be the next topic. I've got a motion from Mr. Hasbrouck to table this motion until we decide on regional management Section 4.1. Is there a second to the motion to table? Bob Ballou. **Okay this motion is non debatable. Is there any objection to the motion to table?**

Okay seeing none we're queuing things up like arrows in a quiver here. Hopefully we can get them all to come out as quick as we did the earlier ones. Okay, well that brings us to the regional boundaries, 4.1. That will be 65 and 66 in the document. Our first option here is status quo; to stay with coastwide management.

Option B would be regional management, the four region approach. Again I'll remind the Board that we had an awful lot of discussion about three versus four regions. The four-region approach was what has already been decided on as going forward in the document. There is pretty much no going back on that in this document at this point. That is what we would be deciding on. We'll take those two options up first; and then once that decision has been made, if Option B is selected we would then go ahead and decide on B1 or B2.

I understand that votes on the first part may be contingent upon that. I would entertain a motion that specifies both selecting whether you want status quo or regional management. If you select Option B, I would encourage inclusion of the selection of the sub-option at the same time, since I think that's going to help inform that decision for people; discussion or a motion? John Maniscalco, welcome!

MR. JOHN MANISCALCO: I move to make a motion to adopt Option A; status quo Coastwide Management.

CHAIRMAN NOWALSKY: Move to adopt Option A; status quo. Do I have a second to that motion? All right I'll ask one more time; is there a second to the motion? Okay seeing none; that motion fails for lack of a second. The floor is open; John Clark.

MR. CLARK: Move to approve Option B; Regional Management, and Sub-option B2 in Section 4.1 Regional Boundaries.

CHAIRMAN NOWALSKY: Okay, I have a motion from Mr. Clark to approve Option B; Regional Management, and Sub-option B2, which would set the Long Island Sound boundary from Orient to Watch Hill. Do I have a second for that motion? Joe Cimino. Sorry Russ, we'll get you for one of these; discussion on the motion. Mark Alexander.

MR. ALEXANDER: Connecticut and New York hope to, in their deliberations on a proposal that we will bring forth in October, may want to have some discussions about the boundary and how that may ease our transition into a 47 percent reduction. I would not like to take action on what the boundary is at this meeting. I would like to make a motion to amend; to remove the words "and Sub-option B2" from this motion.

CHAIRMAN NOWALSKY: Okay, I have a motion from Mr. Alexander to remove Sub-option B2. Again, if I understand your intent right now would be to remove that now with a pending discussion on that and decision at the annual meeting.

MR. ALEXANDER: Yes, Mr. Chair that is correct.

CHAIRMAN NOWALSKY: Do I have a second to that motion? Eric Reid. Let me ask the Board; given that we've had some discussion and that original motion is the property of the Board. Is there any objection from the original maker or

anyone else from the Board about making that modification?

MR. CLARK: No objection, I just had a question for Mark. Is Option B1 what the New York and Connecticut are considering, or is there something different from that also?

MR. ALEXANDER: This is based on a discussion I had with Jim right before he had to leave, so I don't have a lot of answers to that. Perhaps John does. But Jim, as I understood it, did indicate to me that we would like to at least maintain the possibility of the boundary line consideration during our discussions.

CHAIRMAN NOWALSKY: Mark, let me ask you this. Did he leave it with there is discussion that you would like to have or were there specific points offered? I would ask that question, because from my perspective we basically have a range right now of Orient in the west and Montauk in the east. Is it your understanding that some other point is to be discussed; or is it your belief that that point for discussion would be between those two points?

MR. ALEXANDER: There were no specific alternatives indicated to me, so my understanding is that we just don't want this solidified at this moment; and that it would be helpful if it remains an option to be considered during our discussions.

CHAIRMAN NOWALSKY: We would certainly have the opportunity to go back, reconsider, and the goal is to take action on these items and hopefully not have to reconsider any of them at the annual meeting. That would certainly be the goal; but none of these are final actions here today. It would be my belief, and I'll let staff chime in if they feel somehow differently; that given that we took this document out to public comment with an east and a west range that that would be the range of the boundary that we would need to consider. If we were moving that line further west of Orient to Watch Hill that would not be within the bounds of something

we've taken out for public comment. I'll turn to staff if they have some other feeling about it.

MS. KERNS: I think you are correct. I think the path of least resistance, in terms of how we choose an option for this would be to just delay action on this particular one until annual meeting. If it is a friendly amendment, we could remove that from the original motion that John made.

We could just take action on regional boundaries or not, and then determine the Long Island Sound boundary at the next meeting, once Mark has more information from what Jim said. But there is a narrow window of where that boundary would be as informed in this document. If we need to take another document out for public comment we'll have to face that down at annual meeting.

CHAIRMAN NOWALSKY: Let me get back to procedure here. Mark had asked for a motion to amend. We went around and looked. Let me first get back to what we have to deal with. Is there any objection from the Board about striking the sub-option from Mr. Clark's original motion? Okay seeing none, we don't have a need for Mr. Alexander's motion, and we're going to modify the original motion to remove "and Sub-Option B2."

That brings us back to the motion before the Board; move to approve Option B, Regional Management in Section 4.1 Regional Boundaries. That is the option presently before the Board; discussion on the motion, Eric Reid.

MR. REID: It's my understanding that the only boundary that would be in question, if this were to be voted favorably, is that line. All the other boundaries are set. It's only a question of how we're going to define that west end of Long Island going forward. Is that correct?

CHAIRMAN NOWALSKY: West or east end, depending on how you're looking at it. That is my understanding, correct.

MR. REID: One end of the rainbow or the other, or something in between. It's up to Connecticut and New York to come up with a proposal that would be acceptable to the Board. Is that how this is going to have to go?

CHAIRMAN NOWALSKY: That's our goal. Further discussion on the motion, okay seeing none; is there any objection to the motion? Okay, so we'll go ahead and we'll take a vote on the motion. Did you have anything else to add? John, go ahead.

MR. MANISCALCO: Yes, I would just like to explain New York's reason for objecting to the motion; while we're largely in favor of regional management under species like tautog, where 90 percent of the harvest, at least in Long Island Sound region is recreational. The resolution, which means we're highly relying upon MRFSS or MRIP data, and the resolution of approximately 1.5 states to base an assessment on and a 47 percent reduction on is inappropriate.

CHAIRMAN NOWALSKY: Again, the goal is, well we'll have more discussion about what the goal is under Long Island Sound management. All right, any further discussion on this motion? Seeing none; we'll provide 30 seconds to caucus. **Okay, motion to approve Option B; Regional Management in Section 4.1 Regional Boundaries. Motion by Mr. Clark, seconded by Mr. Cimino, all those in favor of the motion please raise your right hand, looking for right hands. Well I saw a left, a right, then none, then the other person. Okay, you can put your hands down please. All those opposed to the motion raise your right hand; abstentions, null votes. The motion carries; 7 in favor, 1 opposed, 2 abstentions, 0 null votes.**

Okay, so this now brings us back to two previously tabled motions. We'll take the first motion that was tabled first. Okay, move to approve Option B; managing to the Regional Target F, with Sub-option B2, Board action within one year in Section 2.7.1 Fishing

Mortality Target, motion by Mr. Clark, seconded by Mr. Ballou.

Discussion on the motion, seeing no discussion is there any objection to the motion? Okay seeing none; that motion carries. We'll give staff a moment to bring up the next tabled motion. **Move to approve Option B in Section 2.7.4 The Stock Rebuilding Schedule. That would allow for the stock rebuilding schedule to be developed via an addendum without a timeline.** Discussion on the motion, okay no discussion on the motion, here we go, Joe.

MR. CIMINO: I think as John mentioned, you know it is not much of a box necessarily, but it is a long timeframe if we had a ten year tie in here. I would also assume that during that time we might see one or two new assessments coming through from when we started. I'm not sure how, we might be playing an entirely different ballgame if we were shooting for a ten year timeframe and then got a new benchmark assessment. I would rather leave it without.

CHAIRMAN NOWALSKY: **Further discussion on the motion? Okay seeing none; is there any objection to the motion? Okay seeing none; the motion carries by consent.**

REGIONAL UPDATES

CHAIRMAN NOWALSKY: Next up that brings us to the balance of Section 4. What I'm going to do is I'm going to go to each region that we have. I'm going to turn to Toni briefly to give an update on where we are and what we hope to accomplish with each of those regions; between now and September 15, to then pass information around to the Board ahead of the annual meeting.

Also I would like the individual states within that region to chime in with any comments that would be helpful to the Board. Again, the intent is not to make motions on these today, but if there is some action the Board wishes to take it is certainly within the purview of the members

here today. With that Toni, I'll turn to you 4.2.2 Mass and Rhode Island recreational measures.

MS. KERNS: The states of Massachusetts and Rhode Island are interested in exploring possible consistent regulations between the two states fisheries. There was some conflicting advice that came out during the public comment period on how to accomplish this; and the two states want additional time to craft possible measures and analyze those measures, as well as discuss those possible measures with their advisory councils/advisory bodies within the two states.

CHAIRMAN NOWASKY: I'll look to Mass and Rhode Island for further comments. Dan McKiernan.

MR. MCKIERNAN: Yes, when we first saw this brought forward it made sense; and I credit Jay and the other folks who put it together for having done the calculations. But upon further reflection, we would really like to test the potential of allowing a single fish during the popular summer fishing months; since the stock we have up our way is not overfished, and overfishing is not occurring. It seemed overly harsh to go from three fish during our prime fishing months to zero, so we would like to see if we can't retain a single fish during those months. We don't expect this to amount to a lot of harvest.

But I think in terms of accommodating the lower end casual anglers, the families, kids, and those who aren't as familiar with the rules, it's a better public policy in terms of maintaining access to a resource. That's our goal. What we want to do is work with Ray, our Chairman, and talk to Rhode Island and their council; and see if we can't craft a better set of rules that still would be the same.

Having the identical rules is really going to be valuable for the fishermen who fish the upper part of Narragansett Bay. In Massachusetts we have the Fall River, Mount Hope Bay area, which are state waters; that's part of Narragansett Bay.

We have problems with enforcement and compliance when the rules are different. It also will help MRIP, because you'll have more consistent rules between the two states and less confusion and less what would appear to be poaching, but is just ignorance of the rules.

CHAIRMAN NOWASKY: Any further discussion, any questions from the rest of the Board? Next up we have Long Island Sound; again, as a result of the regional assessment assuming a 50 percent probability of achieving the F target, which will remain a decision point in the document that would call for a 47.2 percent reduction in harvest. Not surprisingly the public hearings certainly were adventurous to say the least.

I wish to thank staff for doing the best they could, as well as staff from New York. I'm sure it wasn't easy for them there as well. But I think that that certainly was a cause, from my conversations with New York and Connecticut, to have some further discussion and see what could be done to ameliorate that type of reduction; specifically when some of the recent assessment information gave us some hope for some good news there.

Based on discussions with staff as well as the states, there were a couple of different ideas that came forward for how to work through that. Again, I'll turn to Toni and then to the states of New York and Connecticut to further discuss it.

MS. KERNS: As Adam said it is a 47 percent reduction. This would be a severe social and economic impact on the fisheries and the communities in New York and Connecticut along Long Island Sound. They are looking for some flexibility in achieving the reduction. The states are requesting that a more modest harvest reduction on the scale of 20 to 30 percent be explored.

The states would work with the TC to determine what impacts such of a lessened reduction would have on the probability of achieving an F target

in a reasonable amount of time. Their rationale for lowering the 47 percent reduction includes that the assessment indicates a strong 2013 and 2015 year class.

Biomass has been increasing since Addendum VI measures were implemented in 2012. The three-year-average harvest has an 18.3 percent, percent standard error in the recreational data; which is somewhat large for a three-year average. They are also looking to moderate what would be otherwise an extremely disjointed interregional management measure. How they plan to approach this is looking at an alternative probability of achieving the target. This would likely be a lower probability; and as well as extending the period in which the F reduction would be achieved from three years to five to ten years.

They also would like to examine the sensitivity of the Long Island Sound assessment; specifically in the context of the ACCSP facilitated percent standard error workshop and modeling efforts that have recently been held, as well as setting a required reduction considering both the three-year average of harvest as well as the percent standard errors informing a lower bound relative to the harvest target.

They would then bring back revised management options that would include, but aren't limited to, measures that might look at a three to four fish bag limit, and consideration of a broader slot limit. They'll work with the TC and the SAS to do this.

CHAIRMAN NOWALSKY: Thanks for that, Toni. That gives some information on a region for skipping over the probability of achieving F target; as well as the reduction schedule, because both of those variables could impact the reductions. I'll turn to New York or Connecticut to provide any other information they want to at this time.

MR. ALEXANDER: I'll say a few words. I just want to express my gratitude to the Chairman and his

initiative in working with Toni to reach out to us with an opportunity to try to mitigate the impacts that we're going to feel in trying to achieve this 47 percent reduction. As Adam indicated, our hearings were interesting.

I think New York's probably more so than Connecticut. This will cause some pretty severe social and economic impacts in Connecticut. I think it is not an understatement to say that our party charter industry is traumatized by the prospects of this. Tautog makes up an important or a key part of their fall fishery, and they stand to lose quite a bit of business with regard to this.

Also our bait and tackle shops enjoy a robust business based from tautog in the fall fishery. It brings people into their stores at a time when there is not much else going on. Anything we can do, or anything that the Board could accommodate for us to ease our transition into this period of rebuilding, would be greatly appreciated.

CHAIRMAN NOWALSKY: Okay, any other questions, discussion about Long Island Sound and how we plan to move forward? Again that is probably the heaviest lift that we've got here right now. I'll certainly be encouraging staff to encourage the states, again to move forward as expeditiously as we can, so we can get information out to the entirety of the Board in advance of the annual meeting; and make sure the appropriate reviews are done to inform that decision, New Jersey/New York Bight, Toni.

MS. KERNS: Not much there, because three of the four regions decided to delay, we thought we would just delay all of these measures.

CHAIRMAN NOWALSKY: Any comments, discussion on New York/New Jersey Bight. Okay, Delaware, Maryland, Virginia.

MS. KERNS: I hope I get this straight. These guys will correct me if I'm wrong. But out of the, I think it was the Maryland Charter Boat Association had suggested a revision to some of

the regulations, and then the other areas might be interested in taking on those regulations as well; or having somewhat consistent regulations amongst all of the states. We needed time to go back and evaluate what that change in those regulations would mean and see if there is the possibility to have those consistent regulations.

CHAIRMAN NOWALSKY: Comments from those states, Mike Luisi.

MR. LUISI: I'll just add an explanation to where we stand. At our public hearings the options presented before us that would put Maryland, Delaware, and Virginia into a region had a seasonal closure for two months beginning on May 1, and ending at the end of June. The public hearing that we had in Maryland, fishermen were quite upset at the fact that because black sea bass does not open until May 15, that there would be a two week period of time when they could not fish for anything.

Our transition in our state is from a tog fishery to a black sea bass fishery. Delaware and Virginia and Maryland I think, plan to put forth some alternative options to present; which close that gap of a closure period for the charter fleet, and not just the charter fleet, but recreational anglers as well. It does not liberalize our fishing effort from where we currently are. There would still be a slight reduction; even though we would open up those two-weeks' time. We'll follow up with staff on a proposal to include in the next round of discussions.

MR. CIMINO: Virginia has a different situation with the commercial fishery, so I think I will be putting forward something. I may reach out to the TC right from the very beginning; to figure out the best way forward with that.

CHAIRMAN NOWALSKY: Any further discussion on Delaware, Maryland and Virginia's development of their measures? Okay, seeing none; we'll move along to the next Section 4.3 Commercial Quota. In Section 4.3 Commercial Quota; that contemplates two options. A would

be status quo; no specific commercial quota procedures.

Option B would be commercial quota procedures; which include 4.3.1, 2, 3, 4, and 5. I'll turn to staff for further clarification; but as I understand this section, if Option B is selected that doesn't immediately implement quotas. But it would allow for the regions to come together, form a working group; basically a representative from each of the state in the regions to then design the quota proposal program, which would be reviewed by the TC, and then approved by the Board.

MS. KERNS: That is correct, Adam. It also actually allows for an individual state within a region to develop a quota themselves. They would just need to bring it to their region to get approval by their region; and then it would come to the Board and the TC. That individual state would need to follow the procedures that are outlined in the document.

CHAIRMAN NOWALSKY: With regards to the other options here, rollover would be an option that would be offered in a given proposal; and ultimately approved or disapproved by the Board in consideration of that proposal. Transfers would be allowed, and overages would have deductions.

MS. KERNS: Correct.

CHAIRMAN NOWALSKY: Okay, John Clark.

MR. CLARK: Move to approve Option B; Commercial Quota Procedures in Section 4.3 Commercial Quota.

CHAIRMAN NOWALSKY: Motion from Mr. Clark, do I have a second to that motion? Bob Ballou. Move to approve Option B, Commercial Quota Procedures in Section 4.3 Commercial Quota. Motion by Mr. Clark, and seconded by Mr. Ballou. Thanks to staff for getting these up so promptly; discussion on the motion, Mark Alexander.

MR. ALEXANDER: I would just like to get some clarification on this. Under Option B, you said that would not immediately mean that a state would have to implement quotas, it would mean that within a region the regional partners would decide what they're going to do, right, whether or not that includes a quota.

CHAIRMAN NOWALSKY: Or not, or an individual state could put forward that commercial quota program proposal for Board approval. **Further discussion on the motion; is there any objection to the motion? Seeing none; the motion is approved by consent.** Next Section 4.4 Commercial Harvest Tagging Program on Pages 84 through 86.

Option A; status quo, no commercial harvest tagging program. Option B; implement a commercial harvest tagging program. Then depending on how we proceed here, we may have Section 4.4.3; which would discuss tag application, discussion on this section, Commercial Harvest Tagging Program. Eric Reid.

MR. REID: We've heard a lot of discussion in the past about the black market for tautog, and I think we would be foolish to go down this road without a tagging program.

CHAIRMAN NOWALSKY: Did you want to beat Delaware?

MR. REID: I like Delaware. They were good to me. I don't need to beat anybody, I suppose. He's doing such a fine job; I'll let him finish it off. Go on.

MR. CLARK: Well, if you insist Eric.

CHAIRMAN NOWALSKY: Hang on; I've got John Maniscalco first.

MR. MANISCALCO: Don't worry; I'm not going to make a motion. My question is does having a tagging program mandate a quota?

MS. KERNS: No. You don't have to. But if you do implement a quota, and you do the tagging program, then you don't have to do the size limits et cetera to do any reductions if those were required. But you don't have to; all fishermen would still have to use the tags though.

CHAIRMAN NOWALSKY: Dan McKiernan.

MR. MCKIERNAN: A question for Toni. There are other species within the ASMFC list that have tagging, and those tags have to be accounted for. Would we envision a requirement that tags would have to be returned that weren't used?

MS. KERNS: I think if we moved forward with the tagging program, we will have to do some additional work in order to make sure that the tagging program does not have any loopholes, such as accounting for those tags that are not used. I think there might be some additional work that we'll have to do; in terms of the implementation plans for the tagging programs.

MR. MCKIERNAN: Would that be a future addendum?

CHAIRMAN NOWALSKY: There are some specifics outlined here with regards to tag allowance, tag accounting. The document specifically says unused tags would be returned by February 15. There is that element. There is also the annual commercial tag report here that would be part of the compliance report.

Then there are some specifics about what the tag would be, same single use tag inscribed with year of issue, state of issue, unique number. Those items would be here. In terms of how the program was further developed, I think management action via an addendum or something is certainly an option moving forward. Does staff have any other thoughts about it?

MS. KERNS: No, I don't think I have any other thoughts. I think that when the state's put

together their state implementation plan for the tagging program that we can, if there are issues that come up that are not specified in the document that would provide for loopholes. Then we may have to go forward with another document. But if we've covered it all here then we should be okay. But I think the crux of it will be in how the states implement the tagging program themselves.

CHAIRMAN NOWALSKY: Spoiler alert, I think I know why Dan is questioning that; but we'll get to that in the next agenda item. Further discussion on the tagging program, and we still don't have a motion on it. But I know how to fix that. John Clark.

MR. CLARK: This is motions, yes okay, move to approve Option B in Section 4.4 Commercial Harvest Tagging Program.

CHAIRMAN NOWALSKY: Do I have a second to the motion? Russ, thank you. Move to approve Option B in Section 4.4 Commercial Harvest Tagging Program; motion by Mr. Clark, seconded by Mr. Allen, discussion on the motion? Mike Luisi.

MR. LUISI: I'll be very brief. I just want to go on the record by saying that we absolutely support the need for this program. But I just want to be clear that it just adds another small but, it's one of those little pains that kind of sticks in your ribs. The burden to the agency again, we've probably have five people that harvest tog in Maryland commercially; and they can only bring in a recreational limit. At some points in the year they can bring two fish back to the dock.

That guy is going to have to go find this little special gun, wherever it might be, and grab a tag or two and apply it, keep track of it all throughout the year and return everything to the agency after the year is over. It's not a big deal. It's just a little stick in the ribs. It's just one more thing. We're going to support it. Our fishermen actually support it, but on our end it's just one

more thing to account for each year. I just want to go on record by saying that.

CHAIRMAN NOWALSKY: Further comments, Mark Alexander.

MR. ALEXANDER: In Connecticut we're kind of facing the inverse of what Mike was just describing. You know we have a few more than five fishermen. But according to the amendment our commercial harvest target is, I don't know two thousand something hundred pounds, which equates to about 7 to 900 fish.

Implementing the infrastructure within our department to administer these tags for such a small number of fish, and figuring out how we're going to equitably distribute them to the available fishermen, is just going to be a challenge for us. It's a lot to do for what we see as such a small commercial harvest potential. It's just too much for us to try to administer for what we see getting out of it.

CHAIRMAN NOWALSKY: Further discussion on the motion? Okay seeing no further hands; I'll just go ahead and ask for, well first I'll say take a couple seconds to caucus, and then I'm going to ask for a show of hands on this one. If you're done caucusing you can check traffic maps. Okay, I'll go ahead.

Move to approve Option B in Section 4.4 Commercial Harvest Tagging Program. Motion by Mr. Clark; seconded by Mr. Allen, all those in favor of the motion please raise your right hand. Thank you, you can put your hands down. All those opposed please raise your right hand. Thank you put your hand down, abstentions, null votes. Motion carries; 9 to 1.

With that that would then open the floor for Section 4.4.3 Tag Application. Option A would be Harvester Application, at harvest or upon landing. Option B would be Application by Dealer; discussion on this section and/or motions. Start with Eric Reid.

MR. REID: In my day job I'm a fish dealer. In Rhode Island we tag striped bass, and the dealer does the tagging and the dealer does its own paperwork. Then we do the accounting for the tags at the end of the year; or at any period where we have to re up tags. There is some pretty good accountability there.

I'm pretty sure New York does something different with striped bass tags, where the fishermen actually get the tags. That's the only other fishery I have any experience with that the fishermen actually get the tags. I'll qualify my remarks with that I buy dead fish. I don't buy live fish, and tautog is a live fish.

Whether or not the harvester has to apply the tag, because you get the trauma out of the way, and then you know the fish survives better. I can't even begin to speak to that; but as far as the accountability of the tags, unless there is some enforcement issue with the location of the fishermen; although it says at the time of harvest or prior to unloading, so that kind of throws that argument out of the way.

I guess all that being said from my standpoint in what I do, and I've tried to qualify that. I would just as soon that the dealer applied the tag. I think at the end of the year when you've got a fisherman who is trying to find his tags that he can't find, and however they're going to be attached. I think it's problematic. I would prefer that the dealer does the tagging. That would be my preference.

MR. McKIERNAN: I'm going to argue counter to Eric. The model for tagging fish is the striped bass system that was developed by the state of Maryland; and if you recall one of the findings is that there was a lot of poaching and interstate shipping of fish, and the tagging system was identified as being really weak.

Most states have a fishermen applied tag. Massachusetts has a dealer applied tag, and we're fairly confident about that. But I think with the small number of fishermen that we have. I

think with the propensity for storing up live fish, which often is done in this fishery. A lot of the times these fish are card in the water. I just think that this fishery needs some serious accountability, and so I would prefer it go to a fisherman applied tag.

CHAIRMAN NOWALSKY: Thanks Dan, John Clark.

MR. CLARK: I agree with Dan. In a state like Delaware, we don't really even have dealers that buy the live tog. I mean it's going to be a very small harvest anyhow. But we would prefer that the tag be applied at the time of harvest by the fishermen.

CHAIRMAN NOWALSKY: Something else you would like to add, John?

MR. CLARK: It's that time again, huh? Okay, move to approve Option B, oh excuse me Option A. Move to approve Option A in Section 4.4.3 Tag Application.

CHAIRMAN NOWALSKY: Is there a second to the motion; Ray Kane. Move to approve Option A in Section 4.4.3 Tag Application. Motion by Mr. Clark, and seconded by Mr. Kane, further discussion on the motion? Okay we'll give it 30 seconds to caucus. All right, we'll go ahead and take a vote on the motion.

Move to approve Option A, in Section 4.4.3 Tag Application, motion by Mr. Clark, seconded by Mr. Kane; that might have been the third time I've read that. All those in favor please raise your right hand. Okay you can put those down, thank you. All those opposed raise your right hand, thank you, abstentions, and null votes. The motion carries 9 to 1. Okay thank you very much. That completes all of the discussion items and options in the draft amendment.

I want to thank everybody for getting through them as well as we did. I think we had good discussion on a lot of them. Again, for those region-specific options, I'll be encouraging staff on a regular basis to make sure we get those on

a timely basis. Again, I ask all the states to respond to those requests in a timely manner as well, so we can get things out to the Board.

ELECTION OF VICE CHAIR

CHAIRMAN NOWALSKY: Is there any further discussion on any of the Amendment 1 topics? Okay seeing none; that will complete that agenda item and take us to Agenda Item 5, **Motion to approve Dan McKiernan as vice chair of the Tautog Management Board.** Motion made by Mr. Allen and seconded by Mr. Clark. Motion carries unanimously.

The Vice Chair is currently vacant. We had Dave Simpson, who has since retired from his position, so that is vacant. I'm going to turn to Russ Allen for a motion.

MR. RUSS ALLEN: **It would be my pleasure to nominate Dan McKiernan Vice-Chair of this Board.**

CHAIRMAN NOWALSKY: Do I have a second to that; John Clark; thank you Russ, thank you, John. Dan, do you have anything you would like to add?

MR. MCKIERNAN: Thank you, I think. This plan was amended once in 21 years; sounds good.

CHAIRMAN NOWALSKY: It hasn't been amended yet, Dan. We're getting there. All right thank you very much. Is there any objection to that motion? Okay seeing none; congratulate Dan on Vice-Chair, and thank you very much.

CHAIRMAN NOWALSKY: Is there any other business to come before the Board today? We never had that on the board.

Motion to approve Dan McKiernan Vice-Chair of the Tautog Management Board, motion made by Mr. Allen, seconded by Mr. Clark; motion carried without objection by consent.

ADJOURNMENT

CHAIRMAN NOWALSKY: All right, having completed the business of the Board we stand adjourned. Thank you very much, safe travels home.

(Whereupon the meeting adjourned at 3:50 p.m. on August 3, 2017.)