

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

**The Marriott Norfolk Waterside  
Norfolk, Virginia  
October 19, 2017**

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1. **Approval of agenda** by consent (Page 1).
2. **Approval of proceedings of May 2017** by consent (Page 1).
3. **Move to approve the 2017 Fishery Management Plan Review and state compliance for Atlantic Striped Bass** (Page 8). Motion by Mike Luisi; second by Pat Keliher. Motion carried (Page 8).
4. **Move to elect Mike Armstrong as Chair of the Atlantic Striped Bass Management Board, and Michelle Duval as Vice-chair** (Page 17). Motion by Ritchie White; second by Russ Allen. Motion carried (Page 17).
5. **Move to adjourn** by consent (Page 18).

**ATTENDANCE**

**Board Members**

Patrick Keliher, ME (AA)	Andrew Shiels, PA, proxy for J. Arway (AA)
G. Ritchie White, NH (GA)	Loren Lustig, PA (GA)
Doug Grout, NH (AA)	John Clark, DE, proxy for D. Saveikis (AA)
Dennis Abbott, NH, proxy for Sen. Watters (LA)	Roy Miller, DE (GA)
Raymond Kane, MA (GA)	Craig Pugh, DE, proxy for Rep. Carson (LA)
Mike Armstrong, MA, proxy for D. Pierce (AA)	Ed O'Brien, MD, proxy for Del. Stein (LA)
David Borden, RI (GA)	Mike Luisi, MD, proxy for D. Blazer (AA)
Jay McNamee, RI, proxy for J. Coit (AA)	Rob O'Reilly, VA, proxy for John Bull (AA)
Eric Reid, RI, proxy for Sen. Sosnowski (LA)	Kyle Schick, VA, proxy for Sen. Stuart (LA)
Matt Gates, CT, proxy for M. Alexander (AA)	Catherine Davenport, VA (GA)
James Gilmore, NY (AA)	Michelle Duval, NC, proxy for B. Davis (AA)
John McMurray, NY, proxy for Sen. Boyle (LA)	David Bush, NC, proxy for Rep. Steinburg (LA)
Russ Allen, NJ, proxy for L. Herrighty (AA)	Derek Orner, NMFS
Tom Fote, NJ (GA)	Sherry White, USFWS
Adam Nowalsky, NJ, proxy for Asm. Andrzejczak (LA)	

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

**Ex-Officio Members**

Nicole Lengyel, Technical Committee Chair

**Staff**

Robert Beal	Katie Drew
Toni Kerns	Max Appelman

**Guests**

**(NOTE: Sign-In sheet not distributed)**

Robert Newberry, DelMarVa Fishermen Assn.	Robert T. Brown, MWA Bill Goldsborough, MD
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The Atlantic Striped Bass Management Board of the Atlantic States Marine Fisheries Commission convened in the Hampton Roads Ballroom V of the Marriott Waterside Hotel, Norfolk, Virginia, October 19, 2017, and was called to order at 8:00 o'clock a.m. by Chairman James J. Gilmore.

#### **CALL TO ORDER**

CHAIRMAN JAMES J. GILMORE: Good morning, my name is Jim Gilmore; I'm the Administrative Commissioner for New York, and I'll be Chairing the Striped Bass Board meeting this morning. Welcome to everybody on this bright, beautiful day. We actually during the Executive Committee meeting yesterday it said we had instructions on how to run a meeting.

We've got them here, how to do it very efficiently. Actually there is only one thing on it. It says don't let Tom Fote talk. That being said; let's get right into the agenda.

#### **APPROVAL OF AGENDA**

CHAIRMAN GILMORE: First off, first action item is Board Consent; Approval of the Agenda. The agenda should be in your briefing package. Are there any changes to the agenda? Seeing none; we'll take that as unanimous consent.

#### **APPROVAL OF PROCEEDINGS**

CHAIRMAN GILMORE: Next is our approval of the proceedings from May of 2017. You have reviewed those, any changes to our proceedings from our last meeting? Seeing none; we'll take those with unanimous consent.

#### **PUBLIC COMMENT**

CHAIRMAN GILMORE: Our next agenda item is Public Comment. I've had two individuals that have signed up; actually three individuals that have signed up that want to speak, so I'll take them in order. First we have Bill Goldsborough. These again are for topics not on the agenda today. Please keep your comments brief. Thank you, go ahead, Bill.

MR. WILLIAM GOLDSBOROUGH: Thank you, Mr. Chairman, members of the Committee. My name is Bill Goldsborough. I come here today as

a private citizen; albeit one who spent many years around this table working on striped bass. My interest today is to encourage certain steps that I believe are necessary to continue to grow and strengthen the striped bass population.

In that quest we are fortunate to have some strong year classes in the pipeline from good recruitment in Chesapeake Bay. The 2011 and 2015 year classes are very strong; as you know. We now have word from the 2017 Maryland Young-of-Year Survey that this year's spawn was good as well.

The concern I have is whether these fish will find sufficient forage to reach their full potential. As we are all aware, striped bass depend heavily on Atlantic menhaden as prey. To that point I call your attention to a new paper by Buchheister et al. this year that underscores this dependence by showing a tight correlation between striped bass and menhaden biomass; with both declining with increased menhaden fishing mortality.

As you know, the Menhaden Board will be finalizing Amendment 3 next month. It is my hope that ecological reference points will finally be adopted at that meeting; that will ensure sufficient forage for striped bass and other predators along the coast. But another decision in Amendment 3 may have greater implications for those striped bass year classes currently maturing in Chesapeake Bay. My message to this Board is not to overlook it. I'm referring to the Chesapeake Bay menhaden reduction fishery cap.

While the ecological reference points are crucial for ecological balance coastwide; the only tool we have to buffer the concentration of the fishery in Chesapeake Bay is the reduction cap. While menhaden stock biomass has improved in recent years, most of that biomass is in northern waters; while harvest pressure is concentrated in the Bay region where biomass is relatively low.

There is real potential for striped bass in Chesapeake Bay to be food limited in these coming years; and in fact recently there have been numerous reports from anglers in

Maryland of skinny stripers, with no apparent body fat. Whether this condition is related to the wasting disease mycobacteriosis that sometimes plagues the Bay has not been determined.

But recall that Jacobs et al. 2011 did find that poor diet enhances the progression and severity of mycobacteriosis in Chesapeake Bay striped bass. The bottom line is that the Bay reduction cap for menhaden remains important for striped bass; and it is my hope that this message is carried to the Menhaden Board when it deliberates Amendment 3 next month. Thank you, Mr. Chairman.

CHAIRMAN GILMORE: Thanks Bill, good to see you again. Next we have Captain Bob Newberry.

CAPTAIN BOB NEWBERRY: Mr. Chairman, members of the Committee, my name is Robert Newberry; Chairman of DelMarVa Fisheries. I'm here to discuss today a situation in hand that I believe will be discussed today also is about the problem that we're having in Maryland; specifically in the northern reaches of the Bay, with the amount of discard or the B-2s, and the problem that is arising from that.

It's a very, very troublesome situation. I run a charter service alone and represent many others in the charter business too. We have seen over the past three years, as we have testified here, not me, but Captain Phil Langley, who is head of the Charterboat Association, has testified of his concern over the amount of waste of these fish or these B-2s.

We have put together a group and have addressed this with DNR. I'm not here to point fingers or blame on anybody, because the old saying is if you point your finger at somebody you've got three pointing back at you. I'm just as guilty as everybody else is that is participating in this decimation of these fish.

What concerns me is I would really like to see this Commission, when it's addressed today is to really buckle down and take a good look at this problem; because it's not thousands of fish, we're in the hundreds of thousands of fish that

are being wasted. For the past three years we have had slicks of fish that one we have a film of this year was two miles wide and three miles long; it had washed up on the beaches of Kent Island, massive amount of buzzards were feeding on them.

People were complaining about the amount of buzzards. But it's not the fact that these fish were skinny and small, it's going after the conservation equivalence for this 20 inch fish. I would implore the Commission that when this is addressed to seriously look at it; because the one thing that I've said here before in the past three years, and I'm going to say it again and I just hope it kind of sticks like superglue is that when a natural resource is politicized, there are only two outcomes from that.

It is the demise of that natural resource, and the demise of the industry based upon that resource, and we're seeing that happen right now. The science is there. I think that Maryland should lead the charge on this; which I'm fully sure that they will and working with ASMFC and the other states.

Because if we are going to ensure the longevity of these striped bass, and seeing what I've seen over the past three years as a result of Addendum IV. It is horrific. Once again, I will repeat myself is that politicizing of a natural resource leads to two problems; the demise of that resource and the demise of the industry based around it. Thank you very much.

CHAIRMAN GILMORE: Thank you, Captain Newberry. Last I have Robert Brown.

MR. ROBERT T. BROWN: Thank you Mr. Chairman, for letting me speak. My name is Robert T. Brown; I'm President of the Maryland Watermen's Association. We have a large problem in Maryland with discards, since we have a minimum size of a 20 inch rockfish in the state of Maryland.

This all came about back a few years ago when we got a 25 percent reduction on the coast and a 20.5 percent reduction in the Chesapeake Bay.

To meet the criteria to keep fishing, we went to a 20 inch fish on the sport and charterboats to meet the criteria we had to be fishing legally. When this happened, by raising that size limit of those fish and the amount of fish that we have in the Bay, you have to catch anywhere from 20 to 50 or 80 fish before you can catch one that is of legal size.

Once you hook these fish, especially during the warm waters of the summer, we have a lot of fish that die. These dead discards have been floating all up and down the Bay. They've been floating and going ashore in different places. It's not because they have a lack of feed. It's because we have so many fish in the Bay at this time; and we have two or three more year classes that I'm glad to hear that we have.

But with the abundance of rockfish that are in the Bay is becoming overwhelming. What I would like, hopefully I just want to make everybody aware of this so we can do something to stop this; because it's a waste of the resource when you can't catch it all the time and keep it. You're better off to go out and catch a few fish, catch your quota, go back in. It's better for business than catching all these fish and having these discards. I thank you for your time.

CHAIRMAN GILMORE: Thank you, Mr. Brown. Is there any other public comment before we get into the rest of the agenda?

#### **CONSIDER 2017 FISHERY MANAGEMENT PLAN REVIEW AND STATE COMPLIANCE REPORTS**

CHAIRMAN GILMORE: Okay seeing none; we're going to go right into Item 4, Consider 2017 Fishery Management Plan Review and State Compliance Report; and Max has got a presentation for us. Max.

MR. MAX APPELMAN: This is the 2017 FMP Review for striped bass. The reporting period is the 2016 calendar year. A quick overview of my presentation; touch on the status of the stock and the status of the fishery, move on to status of management measures, and wrap up with compliance and Review Team recommendations.

Based on the results of the 2016 stock assessment update, Atlantic striped bass is not overfished, and overfishing is not occurring. In 2015 spawning stock biomass was estimated at 58,853 metric tons, which is just above the threshold.

Fishing mortality was estimated at 0.16, which is below the threshold and the target; and as we're all likely aware, the benchmark is currently underway. Peer review is expected at the end of 2018.

This is a look at spawning stock biomass over time. This is Figure 1 from the FMP review report. What you can see is an exponential increase almost from the beginning of the time series; then it crosses the threshold at 1995, which is not coincidentally the definition of that threshold is that value. It continues on to a peak around 2003, and since then has been declining. In 2015 you can see it is just slightly above that threshold level.

Moving on to fishing mortality rate over time, a similar trend here in the beginning of the time series as the management plan relaxed regulations, you can see fishing mortality increase to a peak around 2006, 2007; at which point it decreased a little bit but has fluctuated right around 0.2 it's across the threshold, and is currently below the target in 2015.

Moving on to status of the fishery, this is looking at the commercial sector; 2016 was an estimate of 4.8 million pounds. This is very similar to 2015. Both of these fishing seasons were under the Addendum IV quota; so that's not very surprising. Commercial landings and discards by state are detailed in Tables 1, 2, and 3; but just a couple more points here, 60 percent of the harvest did come from the Chesapeake Bay fisheries, and that discard estimate in 2016 is a little over 400,000 pounds, which is higher than it was last year but much lower than the year before that. It is sort of middle of the road. I do have one small correction in the FMP Review report. I incorrectly reported the difference between the 2015 and the 2016 landings numbers; it's a very small number and very small

difference; but just FYI I'll make that change in the final version.

Moving on to the recreational fishery; so 2016 did mark an 18 percent increase in total removals compared to 2015; that's in terms of number of fish. We are talking about harvest and dead discards when we say total removals. The 2016 harvest estimate was a little over 1.5 million fish; which equates to roughly 19.9 million pounds; 46 percent of that came from the Chesapeake Bay fisheries, in terms of number of fish. Our fish released increased by 37 percent; which in that dead discard estimate is 1.04 million fish.

That is the red bars on that figure there. You can see it is pretty high over the recent decade or so; but if you move further into those peak biomass years in the mid '90s to 2008, it is actually on the lower end. Just to put things in perspective.

Take a quick peek at the Albemarle Sound, Roanoke River stock. Based on a stock specific assessment conducted by North Carolina, this AR stock is not overfished and overfishing is not occurring. The 2014 spawning stock biomass estimate is a little over 2 million pounds; which is well over the threshold and the target, 2014 fishing mortality estimate at 0.06, which is similarly well below the threshold and target. Speaking with North Carolina's staff, I was advised to extend caution when evaluating those terminal year stock status estimates for the AR. It is likely an overestimate of SSB, and an underestimate of F considering the retrospective bias exhibited by the AR stock-specific model. The magnitude of those values will likely change as additional years of data are incorporated.

A quick look at the harvest in Albemarle Roanoke stock from that region, commercial harvest was a little over 120,000 pounds. This is a slight increase relative to 2015, and recreational harvest just shy of 80,000 pounds, also a slight increase from 2015.

Moving on to status of management measures; this is a look at the coastal commercial quota. In 2016, Rhode Island had a reduced quota due to

overages in 2015. The total coastal commercial quota was 2.84 million pounds.

This was not exceeded, however there were three state-specific overages; Massachusetts by 68,927 pounds, Rhode Island by 32 pounds, Virginia by 589 pounds, and those overages will be deducted from the current 2017 quota. Moving to the Chesapeake Bay, there were no deductions from 2015, so the commercial quota stands as it is in Addendum IV. The 2016 Bay wide quota was not exceeded. Similarly there were no jurisdiction specific overages.

Now, looking at the juvenile abundance index analysis, Addendum II defines recruitment failure as a value that is lower than 75 percent, or the first quartile, Q1 of all values in a fixed time series appropriate to each JAI. The PRT, which does include some membership overlap with the Technical Committee, reviews this Juvenile Abundance Index from six different surveys; and if any of those surveys do fall below its respective Q1 for three consecutive years, appropriate action is recommended to the Board.

For the 2017 JAI Review, the Review Team evaluated the 2014, 2015, and 2016 values; and there was no management action triggered. This is a very small figure; however, you can see it much better in your review report. What I'm clearly trying to do is direct your attention to two specific values.

The top right corner that's the Maryland JAI in the Chesapeake Bay; and then in the middle on the left is from New York and the Hudson River; those two values in 2016 were below Q1. The previous years in those time series were above average, so again no management action triggered. But if this does continue next year or the year after that might see some red flags.

Status of management measures continues with Addendum III. This is the commercial tagging program. Addendum III requires all states with commercial fisheries to implement a commercial tagging program; and to submit annual monitoring reports no less than 60 days prior to



the start of their first commercial season.

The monitoring report primarily includes a summary of the previous year's tagging program. This includes also tag descriptions for the upcoming season, as well as highlighting any issues with the program. In 2016 all states submitted reports on schedule; and implemented commercial tagging programs consistent with those requirements. You can refer to Table 10 in the report, which summarizes each state's program requirements.

Wrapping up with compliance and recommendations, the Review Team reviewed all the state compliance reports, and determined that each state and jurisdiction implemented regulations consistent with Amendment 6 and Addenda I through IV. There were no de minimis requests at this time. As such, the Review Team recommends the Board accept the 2017 FMP Review and State Compliance reports for Atlantic striped bass. I'll take any questions.

CHAIRMAN GILMORE: Thanks, Max, great report. Questions, John.

MR. JOHN CLARK: Thanks for the report, Max. When you showed that graph of total recreational mortality, it looked like the mortality in 2016 was almost equivalent to the mortality in 2014, the last year before Addendum IV went into effect. The main difference being that most of, well not most of it, but much more of the mortality was due to discards in 2016 than in 2014.

Obviously, as many of us thought from the get go that these reference points were very conservative, and as we've been hearing from the charter fishermen from the Chesapeake for the last couple of years. We're still killing a lot of striped bass; it's just we're not harvesting them. Once again, I think this points toward the discussion we'll be getting into later on the reference points, changing them.

CHAIRMAN GILMORE: John McMurray.

MR. JOHN G. McMURRAY: Max, can you put up

the SSB chart? That does not include 2016.

MR. APPELMAN: Correct. The terminal year in the 2016 update was 2015.

MR. McMURRAY: Thank you. Is there any indication that we're starting to trend upward. The SSB is starting to go back up with 2016? I mean you would think that the 2011s are starting to recruit. You would think some of them would have recruited in 2015, and certainly by now we should be seeing some sort of upward trend. Is there any indication that that is happening?

MR. APPELMAN: In terms of spawning stock biomass, I can't make any interpretations of that for 2016. We haven't put any of that data through the model itself. Clearly there is anecdotal evidence and B2s are higher; indicating some catch of smaller, non-retainable striped bass. I think that's corroborated, but as far as spawning stock biomass that estimate includes a lot of other information; so it's hard to tell what would happen in 2016.

MR. McMURRAY: One more question. Well, you know fishing mortality seems to be going down pretty precipitously; according to the chart. You would think it wouldn't be all B2s; you would have some keeper fish that are starting to recruit. You would assume there would be some upward trend there, even in 2015.

I don't know if that's a cause for concern or not. I would just note that anecdotally, there are a lot of complaints this year that we're not seeing the usual abundance and size of fish that we should be seeing this time of the year. It's just something to note, something we should keep an eye on.

CHAIRMAN GILMORE: Dave Borden.

MR. DAVID V. BORDEN: Just a quick question. On that recreational discard mortality, I think I could probably speak on behalf of everybody. It's such a waste of a resource. I guess my question is to what extent had the PDT, Technical Committee or whatever look at that

issue and try to formulate ways to reduce it? I mean to the extent we can reduce that we can liberalize the catch regulations. Has that been done in the recent past, and if not maybe we could get that done?

MR. APPELMAN: I think those conversations have occurred, not explicitly, but sort of as part of other exercises that the TC has done. I think speaking on behalf of the TC, two members next to me that can chime in if they feel they need to, but it's a tradeoff. If you relaxed regulations you'll keep more, and you'll still have some discards and vice versa. If that helps answer your question.

CHAIRMAN GILMORE: Go ahead, Dave.

MR. BORDEN: I still think it would be a useful exercise to the extent that the Technical Committee could weave that into their assignments; and try to bring back recommendations to the Board. At least we would have something to consider.

CHAIRMAN GILMORE: I guess it's a concern that everybody has with the discard mortality. I think I'm going to talk a little bit about it later. We'll see. I mean obviously we'll have discussions on it, but they're pretty well over tasked right now. Are you suggesting we do something in addition, or that they just in their deliberations when they're talking about the next stock assessment that they discuss it?

MR. BORDEN: Next stock assessment.

CHAIRMAN GILMORE: Okay well, we'll see. Obviously it's a problem that needs to be addressed, so they'll be considering it somewhat. Loren.

MR. LOREN W. LUSTIG: Thanks to Max for an excellent report; very interesting report. I'm specifically concerned as we certainly all are regarding the fishing mortality for these discards. I'm wondering about anecdotal evidence that has been given to me personally, and probably to most of us in the room, concerning two sort of fishing procedures.

One is the use or lack thereof or circle hooks and the second being the inclination or lack thereof for the angler to play out the fish to absolute exhaustion. It's my understanding that those two factors really contribute to mortality. The first part of the question is am I right, and second is how can we work out a plan that would lessen this mortality?

MR. APPELMAN: The fighting aspect of that is not something I'm going to comment on here; but the circle hooks, yes I think some jurisdictions do require circle hooks and they've been shown to reduce your release mortality rate slightly. I'm hearing down to 5 percent, right now 9 percent is used in our models. As far as how long an angler fights their fish. I think that's more of an education outreach type discussion.

CHAIRMAN GILMORE: Yes, I'll just add to it, Loren. I think that you know, if you go back to the individual states the circle hooks are definitely an improvement; although they're not a solution, because you still foul hook with circle hooks. But still, they help out with that mortality, and I think that angling techniques or whatever really some of the states do good outreach and education programs. I think each one of us has to do more of that to kind of reduce the discard mortality. Ritchie White.

MR. G. RITCHIE WHITE: I think the release mortality is affected more by the size of the stock, the year classes, and angler decisions. The charterboats I know if they go out in the morning and the angler catches his legal keeper or keepers say in the first 15 minutes; and they've paid for six hours. They fish the six hours. They're not coming home after ten minutes after getting their legal fish.

I guess I don't see where changing a size so that the anglers can catch the fish from a charterboat standpoint lessens release mortality; unless they are able to go target different species. Then the size of the fish, if you have a lot of fish that are undersize, and especially now in New England we have a lot of fish that are very small. I mean

there is no way you could have any kind of regulations to keep a 16 inch striped bass along the coast. I think it's more complicated than just saying if we adjusted the size a little bit then that would take care of a lot of release mortality.

CHAIRMAN GILMORE: Thanks Ritchie, good point. Mike Luisi.

MR. LUISI: I had intended to discuss with the Board the active role that Maryland is going to be taking to help address this issue. I was planning to bring it up under new business. I don't know if that would still be more appropriate. Given where this conversation is leading though, I would be happy to offer to the Board our review and intentions in the coming months; if you think that's appropriate now.

CHAIRMAN GILMORE: I think I would rather stay until other business, because I would like to get this approved and then you know we get through those reference points we'll do it then, Mike. Tom Fote.

MR. THOMAS P. FOTE: I guess I'll wait until we have that discussion; because I have a few points to make in that direction.

CHAIRMAN GILMORE: Are there any other questions for Max? John McMurray.

MR. McMURRAY: One more quick question. I'm a little confused about this discard mortality conversation; because having spent the better part of two decades on the water targeting striped bass, those smaller fish, those 18 inch fish, sub 20 inch fish are pretty robust. You have to do a lot to kill them.

Unless these guys are fishing with treble hooks and clam bellies, I don't understand how we're having slicks of dead fish in the Chesapeake Bay. My question really is; is the discard mortality in the Chesapeake Bay presumably higher than it is on the coast, or is it flat out 9 percent across the board? Is there any reason to believe that that is not accurate?

MR. APPELMAN: The discard mortality rate is

the same across the board. There is more fish coming, being caught in the Bay relative to the coast, so I think that is why you would see a higher number in the Bay relative to the coast. But the release mortality rate that 9 percent that is applied to all catches that stays the same. It's proportional; it's just how many fish are actually coming out of the water?

MR. GILMORE: Is this to this point, Mike? Go ahead.

MR. LUISI: To the question asked, and I'm not going to argue the 9 percent. Nine percent is what is used across the board in the assessment, and it's what we plot when we talk about B2s and the amount of dead discards that come from those released fish. But there is evidence and work that has been done in Chesapeake Bay that results in mortality as high as 30 percent in some cases, 27, 28, and 29 percent.

It has to do with water temperature. It has to do with hook location and other elements that go into everyday fishing activities. I don't want the Board to think that this 9 percent is something that is across the board. It changes in different parts of the coast. It has a lot to do with the hooks that are used and the baits that are used. Artificial lures certainly don't have the same mortality that live lining and chumming have.

We're seeing that on the Chesapeake Bay. Again, I'm not going to get into details later. I just wanted to brief the Board on what Maryland has been doing to actively pursue this problem. But I wanted to also make sure the Board understood that 9 percent while it's used for the assessment, it is not a standard. There is evidence that it can be higher than that.

MR. APPELMAN: Mr. Chairman, if I could just jump in and respond to Mike; and more info for John. That 9 percent is clearly a topic of interest. The Stock Assessment Subcommittee and Technical Committee will be diving into that thoroughly with this benchmark coming up. I wouldn't be surprised to see that number change, however.

CHAIRMAN GILMORE: Tom Fote.

MR. FOTE: Yes, Maryland did studies years ago, and basically looked at water temperature, looked at air temperature, and looked at a couple other things that basically affect the mortality. Those figures are out there. The study is there. The Technical Committee really doesn't need to do anything.

It was actually the air temperature above 90 degrees, no matter where you're fishing in the Delaware River or any of those warm water, low salinity areas. The hook and release mortality some places could be as high as 40 percent; we looked at back then. That is when Jersey Coast started putting out information that if you're basically fishing hook and release, because we already knew that striped bass because of the behavior of the anglers, is going to be greater.

It was in the early years, greater by hook and release mortality than catch mortality. I mean those figures you can go back and look at them. We were always catching and killing more fish by hook and release than we were by keeping them. It was going to be a natural way that that fishery was played.

Unlike summer flounder which shouldn't be there, striped bass was always there. Now, some of the things that are basically affecting it and it is true, when you basically fight with light tackle and you basically stress a fish out in hot water. It goes up. I recommend to my fly fishermen, you put 20 pound leaders on; you don't use light tackle. If you're out fishing in the Delaware River and the water is above 80 degrees, you should be using 40 pound test; get the fish as carefully as you can to the boat, don't touch it and release it. We put all those things out years ago; because we realized that in hot water up in low salinity situations, the hook and release mortality is going to be greater.

Yes, it has a big factor and it always was going to have a factor. Ritchie is right. When people go out, I mean I sit on the beach and watch guys fish one striped bass after another during the blitz, and nobody is even taking a fish home. But some

of their behavior is not what you should be doing to actively and nicely release fish for the highest percentage of protection.

CHAIRMAN GILMORE: All right we've had good discussion on this. I think as Max had said, this is going to be looked at in the next assessment. We're going to move along, but we're going to need a motion to approve this. Mike Luisi.

**MR. LUISI: I move to approve the 2017 Fishery Management Plan Review and State Compliance for Atlantic Striped Bass.**

CHAIRMAN GILMORE: Thanks Mike, second by Pat Keliher. Discussion on the motion, seeing none; is there any objection to the motion? Seeing none; we'll adopt that as unanimous consent.

#### **RECOMMENDATIONS FOR THE 2018 BENCHMARK STOCK ASSESSMENT**

CHAIRMAN GILMORE: Okay, we're going to go into Item Number 5, Biological Reference Points. The TC is looking for some guidance on this.

We have actually not looked at the reference points since Amendment 6, in 2003. With a new stock assessment the TC has definitely had some issues they would like to bring up. Nicole is going to do a presentation, and then we'll have some discussion on maybe which option we can go with; so Nicole.

#### **TECHNICAL COMMITTEE REPORT**

MS. NICOLE LENGYEL: Today I will be presenting a TC report where the TC and the Stock Assessment Subcommittee are requesting Board guidance on Atlantic striped bass FMP goals and objectives. I am going to start by going through some background; including the 2018 benchmark assessment, the current biological reference points used in the current assessment, FMP objectives and acceptable risk; and then get into the Board guidance that we're seeking.

The 2018 benchmark assessment is currently underway. In fact we just had our first data workshop in September. TOR Number 5 is to

update or redefine biological reference points, including BRPs, point estimates or proxies for BMSY, SSB<sub>msy</sub>, FMSY, or MSY. Define stock status based on BRPs by stock component where possible.

The current SSB threshold, as Max pointed out earlier, is the estimate of SSB in 1995, and the target is 125 percent of that value. You can see from the figure that while we are well below the target, we are hovering right around the threshold. The current F target and threshold are those that will maintain the populations at the SSB target and threshold.

Again, you can see from the figure that F is well below both the target and threshold, as of the 2016 assessment. There is a tradeoff between preserving spawning stock biomass and allowing fishing. As we just heard, the Board has raised concern that the current biological reference points may be too conservative; for various biological, ecological, and socioeconomic reasons, and may be restricting fishing unnecessarily. The current management objectives and acceptable risk levels were laid out in Amendment 6 to the striped bass FMP back in 2003. The TC and SAS posed to the Board several questions. Is the Board satisfied with the current management objectives, and acceptable risk levels, as laid out in Amendment 6? Does the Board want to manage the stock to maximize yield, maximize catch rates, maximize the availability of trophy fish, and what is the acceptable level of risk when it comes to preventing stock collapse?

The TC and SAS recognize that this is not a simple task; and we're not recommending that the Board decide these items today. Instead we're recommending that the Board consider one of the following; a formal workshop, such as the Ecosystem Management Objectives Workshop that was done recently for Atlantic menhaden, developing a subcommittee of the Board.

Develop and issue a survey for the Board to seek preferred direction for management, and preferred balance between spawning stock biomass and F. The TC and SAS could also

conduct a full management strategy management evaluation; however, it would not be completed until after the benchmark is complete and peer reviewed. With that I can take any questions.

#### **PROVIDE GUIDANCE ON REFERENCE POINTS**

CHAIRMAN GILMORE: Thanks, Nicole, we'll take questions for Nicole first. Remember when you ask them, and you start thinking about which one of these options we would like to pursue if it's the Board's pleasure. When you make those comments remember, you might be volunteering to sit on one of those things. Michelle.

DR. MICHELLE DUVAL: not volunteering anything, but just a question. Maybe this isn't strictly for Nicole, but perhaps for Toni and Bob as well. I know that one of the items that we discussed last year and I believe the Policy Board is going to get an update on this from the Risk and Uncertainty Policy Working Group.

The Risk and Uncertainty Policy Working Group, if I recall, was looking at sort of striped bass as kind of their case study for trying to apply the draft approach; and had spoken of possibly having a Commissioner workshop to walk through that. With these two, and looking at the option for a workshop here to revisit management objectives, would those two workshops dovetail? Has there been any discussion about that? I assume it's probably less a question for Nicole and more a question for Bob or Toni.

CHAIRMAN GILMORE: Go Bob.

EXECUTIVE DIRECTOR ROBERT E. BEAL: The plan right now with risk and uncertainty is to have a workshop at the February meeting. We were going to do some of that today; but we got into a time crunch. We figured it would be better to put it off until February, and we could really spend some time and focus on it; spend a couple hours at a Commissioner workshop.

Jason McNamee is kind of the guru of this right now; or at least the messenger. You know

striped bass is the example, and we may be able to tie some of those together. But I don't know if the risk and uncertainty policy is going to be mature enough necessarily; to produce outcomes that can be plugged into these striped bass questions. But I think it can shed some light on it, but I don't know. There may be some additional work that still needs to be done specific to striped bass.

CHAIRMAN GILMORE: Katie, go ahead.

DR. KATIE DREW: Just to add to that. The current risk and uncertainty policy is really sort of a component of a larger policy; and we're working on a specific subcomponent of that which is how you evaluate the risk level for reducing F to a target, for example. That sort of assumes that we already have a target and a threshold that we're happy with.

That is what we're going to work on in February. But I think it's going to open the door for a discussion about how do you set that target and threshold at a level that you're happy with; before you go through this risk tree. I think this could be, they won't be fully complementary, but I think they could open the discussion in a way that might help the Striped Bass Working Group understand what we're talking about, and give them better ideas about what we would want for a reference point discussion from that.

CHAIRMAN GILMORE: Other questions for Nicole? John.

MR. CLARK: At this point you're just looking for not suggestions on the reference points, just how the process of how we would get to considering new reference points; like the suggestion just made by Michelle or a working group or whatever. Is that where we're at here?

CHAIRMAN GILMORE: Yes, John. Essentially we need to have a working group, or we would have a subcommittee of the Board to work on it, or the last option again which I don't think is very popular because it is going to delay things, you know quite a bit. It's really those three options we need to look at. Jason.

MR. JASON McNAMEE: I just wanted to offer maybe a word of caution; and then I'll actually give a recommendation on some of the questions the Technical Committee asked, if that's okay. First, when I was reading through the Technical Committee report, I think the presentation kind of addressed some of my concerns.

But I'll voice them anyways. I don't want people to walk away from this with the impression that we can set these biological reference points solely based on Board objectives, and things like that. That is an element of what should be considered, but we don't want to presume that we might not be able to develop actual MSY biological reference points or things like that.

We need to be careful and not think about them as dials that we can turn up and down to whatever degree we desire. There are population dynamics to consider within that calculus. On the actual questions, all of the options that were presented I think are good options. I will say the workshop that we did for Atlantic menhaden worked out really well.

We found that to be productive. While we haven't necessarily operationalized those objectives and goals, we have used them on occasion in some of our deliberations; whether we know it or not. I think it set the stage for menhaden to do some further work; specifically something like an MSE and that will be my last quick comment.

I think moving towards management strategy evaluation is something we ought to do. We should be thinking about it, but we should do it thoughtfully; and I would suggest that as a Commission across species, we should be thoughtful about which. We should start with an example. There has not been a lot of this done. In our area I think Atlantic herring is the only example that I'm aware of for the Mid-Atlantic/New England Regions. We want to be thoughtful about that. We want to pick an example that we can work through. It's a great idea for striped bass. But we should think about it a little more comprehensively before we pop

doing an MSE on any specific species.

CHAIRMAN GILMORE: Good point, Jay. Doug Grout.

MR. DOUGLAS E. GROUT: My experience with MSE with herring, it has some potential. Although there is a lot of analytical work that the Technical Committee has to do to provide these different, once we come up with ideas, to provide the analysis for this. Obviously as the Technical Committee indicated, MSE would be something that would have to be taken up after the stock assessment; if we were going to go that way.

That being said, I think to get the Board discussing this. You know potentially a workshop leading to a subcommittee that would take the results of the workshop; and try and work on it. But at the same time, again we may need some analysis of what kind of harvest would we be looking at, with a yield being maximized versus maximizing trophy fish.

What is the difference? To be honest with you, we've kind of been down this road. I think we all know that we have different parts of the coast requiring or asking for different management objectives on this. That's going to be the tough part for us; to work out some kind of a compromise that would work for everybody. At least in the short term I'm suggesting a workshop, moving into a subcommittee work.

CHAIRMAN GILMORE: Ritchie White.

MR. WHITE: I think all three. I think you start with a workshop, you take the results of that and go to a subcommittee of the Board. Then I think that then ends up sending a survey out to the whole Commission; so that you have more feedback to it. I think an important piece, especially for the subcommittee of the Board, is to have the different reference points worked out roughly, described, and then given the present stock how that might be interpreted into regulations so that people can more fully understand the impacts of the three different options.

CHAIRMAN GILMORE: Mike Luisi.

MR. LUISI: I'm happy to hear that these reference points are something that is being raised to this level of importance. I've always been one that has thought that the current targets that are set for spawning stock biomass, or set to a point where they're unachievable. They may be achievable, but we're unable to maintain them.

It sets a false expectation for fishermen along the coast, so I'm happy to hear that this is being considered at the level that it is. I also agree with Doug and Ritchie that a workshop followed by a subcommittee of the Board is probably the best plan forward in helping to advise the TC and SAS on this. Unlike my counterpart from North Carolina, I will certainly offer my services to the subcommittee if you choose so, Mr. Chairman.

CHAIRMAN GILMORE: Sounds like a throw down, Michelle. I'll get you in a second. I've got Pat Keliher first.

MR. PATRICK C. KELIHER: I certainly don't have any problem with what is being recommended here. There have been a couple comments about MSE management strategies, and I would caution the Board regarding the complexity of management strategies. Amendment 8 for herring at the New England Council has been a very long process.

My initial read is it's not showing any appreciable benefits to the predator component associated with those ecosystem-based approaches. Before we start down that road, I think we should all understand better what that would entail; and the process and the length of the process it would entail.

CHAIRMAN GILMORE: Michelle, and it's good to see you so warm; because last year at this time I could see a little face at the end of the table, huddled in wool. Go ahead.

DR. DUVAL: Not to be outdone by my colleague from Maryland, I would of course be happy to participate in any subcommittee that was

developed to ensure a full representation of the range of Atlantic striped bass, thank you.

CHAIRMAN GILMORE: Thank you. John McMurray.

MR. McMURRAY: I'm fine with all of these things, with proceeding down this track. But if we do decide to revise the goals and objectives that were established in Amendment 6, and put an emphasis on yield at the expense of opportunity. I'm pretty sure that needs to be at least an addendum, possibly an amendment. I know that's how we do things at the Council when we want to revise the goals and objectives.

We certainly don't have the time for that as far as providing input to the stock assessment folks. My concern really here is that the public get a chance to weigh in on this; because I could tell you with some certainty that the New York recreational fishing public is not going to be okay with taking on more risk. We really do need to consider the public when we do this.

CHAIRMAN GILMORE: The meetings will be open to the public, so as you go through this process they will have input through the process for that. Mike Armstrong.

MR. MICHAEL ARMSTRONG: I'm actually thrilled that the TC is pushing this. In my mind this Board has never explicitly stated what they want this fishery to look like. You know it can be commercial, it can be recreational, but those are very different. I think a lot of the angst that this Board goes through is because there is commercial fighting recreational and Bay fighting coast.

We all have different interest and I think we need to go through a process to explicitly say what we want it to look like. I also think we're in a very good spot. We have a few good years locked and loaded. We have an F of 0.16. I don't see the critical need of banging out an assessment. If MSE is the way to get us in a place where everyone can manage things better, then I would be happy delaying the assessment; or at least getting the peer review or something like

that. But I'm not an expert on MSE. I defer to others. If that was the best way to do this, I mean I see a survey of the Board as that's just a bunch of opinions. I would love to see some quantitative things put on it, and a whole bunch of different looks evaluated. But this was supposed to be questions for Nicole. The MSE process would be about how long? Long.

DR. DREW: Yes. Not an insignificant. See, essentially what the MSE process is doing is a sort of assimilation of running the assessment model in parallel with different economic or yield objectives. To be able to evaluate under this set of reference points, this is what the fishery would look like. This is what the stock would look like. This is the kind of yield. This is the kind of risk level you would see.

It's a fairly complex process; and would require building additional model on top of the stock assessment model. There is probably a middle ground, in terms of doing a full blown management strategy evaluation versus having the TC evaluate a few key reference points to say, we want to look at the yield and the biological status for maybe three or four different objectives, and evaluating some of that.

There may be time after the assessment for a more full back and forth with the TC; in terms of you guys saying, we like this, we don't like this, can we see this option. But going forward with the assessment, we don't want to do that as part of the assessment. We would like to have some firmer guidance from the Board in terms of how to set up one or two reference points that you guys might want to look at; as opposed to the full range of options that are out there.

CHAIRMAN GILMORE: Rob O'Reilly. Mike, can you hit your microphone.

MR. O'REILLY: I'll talk about Mike from here. Not to disagree, but if we go back to the underpinnings of Amendment 6, exactly what one of the central themes was, was what do you want this fishery to look like? If you remember, there was an extension in that process; because



one thing everyone wanted to do was have a uniform size limit throughout the coast and the Bay, at 24 inches.

Then it was discovered, oops, the allocation that originally was established for Amendment 5, which was 51 percent Chesapeake Bay Area, 49 percent elsewhere was disrupted markedly. That was just a glitch. But beyond that glitch there was a lot of talk about what should this fishery look like; which is a great thing to ask of all our fisheries. I certainly support Mike in saying it's a great thing. Concerning the MSE, I tend to think Pat is right.

Depending on how it's done could make a difference, as Dr. Drew has stated. You know there is a lot going on now with risk assessments leading to a management strategy evaluation. I know I've looked into this to some extent; and it can be really overwhelming. You know we should probably think about that a little bit. I think the practical approach that Dr. Drew mentioned, to sort of get some guidance. That is really what we should look for; rather than hang our hats on the outcome of an MSE.

CHAIRMAN GILMORE: Roy Miller.

MR. ROY W. MILLER: I appreciate all the suggestions I've heard this morning. It isn't clear to me what the timing of this would be. In other words, if we undertake this workshop, what is the intended timing relative to the benchmark stock assessment? Once I get an answer to that just let me add that we've been wrestling with striped bass for a long time. Getting our hands around what everyone wants proved to be challenging back in the 1990s, and it continues to be a challenge; and just point out a little historical perspective on that. It's difficult to get everyone to agree on what they want for the status of the striped bass stock.

CHAIRMAN GILMORE: It's a good question, Roy. Go ahead, Max.

MR. APPELMAN: Thanks for that question, Roy. Talking with my colleagues on timing, obviously the benchmark is underway. The earlier the

team can get that guidance the better. Considering December/January is tough to convene a workshop, and that seems like the route that this Board wants to take.

I was hoping maybe a webinar would be possible for a first stab at a workshop; and then maybe in February we can get a more localized number of members for a subcommittee, and then moving forward with that trying to have final guidance from that subcommittee as early as August or May. I think that's the ballpark timeline we're hoping for here. Again, the peer review is at the end of 2018. Obviously the Stock Assessment Team is going to be exploring some models between now and May; and then at that time we would need some strict guidance.

CHAIRMAN GILMORE: Go ahead, Roy.

MR. MILLER: It sounds, if I may summarize, it sounds like these two tasks will be occurring simultaneously. In other words this workshop will be convening while the benchmark stock assessment is underway. Am I correct in that?

CHAIRMAN GILMORE: Yes. Ritchie.

MR. WHITE: A comment and then a question. Since I believe I heard Michelle volunteer to be Chair of the subcommittee, and since she did that I'll be willing to serve on the subcommittee as well. The question is will it take an addendum or an amendment to change the reference points?

CHAIRMAN GILMORE: Go ahead, Bob.

EXECUTIVE DIRECTOR BEAL: It's sort of at the pleasure of the Board. The Amendment 6 allows reference points to be changed through an addendum; but changing reference points and evaluating or asking the public, what do you want this fishery to look like, and those sorts of things, are pretty big questions.

The Board may want to consider a more lengthy amendment process and do some scoping hearings; and then a final round of hearings. It's really up to the Board as to how much public

involvement, and how many times they want to go out to the public and talk to them about these range of options.

Just this conversation is very similar to what happened in 2002, when Amendment 6 was developed. We were going around, trying to figure out what you want the fishery to look like. There is competing needs and tradeoffs, and there was a working group formed. Pat Keliher was actually on it as the AP Chair at the time; so he's changed jobs and doing different things. I think he's the only one that's left around here that was on that. But ultimately the Board ended up going out to public hearing with an F rate threshold that was set, as Jason mentioned on the biological parameters of these animals. Then the targets at the time was 0.2, 0.25, and 0.3 those three options were taken out to the public and a series of figures that went along with each of those options that showed what your yield would be, what eight and older fish would look like and different things.

You know it was a very direct question to the public in 2002. What do you want this fishery to look like, and here are the tradeoffs? It was at that time illustrated really well. I think it seems like we're heading down a similar path where we're going to have some level of development of those different options and tradeoffs at the Board level. Then as John was saying, go out to the public and say all right, here's your tradeoffs, what do you want?

CHAIRMAN GILMORE: Okay, I guess we'll figure that out as we move along. Is there any objection to Michelle Chairing the – I'm only kidding. I've got Jay McNamee.

MR. McNAMEE: I got a little excited with all the MSE talk, so I'll rein that in a little bit so you can keep this meeting moving along; but just maybe a comment. I'm not sure if the formal workshop is still on the table as well, and I just want to remind people the construct of that. That workshop, it was pretty diverse.

They looked outside; it was outside of the Board. They brought in folks from the industry, bait and

reduction, and folks from NGOs and things like that. Keep that in mind. That's how you get that really good comprehensive feedback in those workshops is to think outside of the kind of narrow universe of what your normal working committees are.

CHAIRMAN GILMORE: Tom Fote.

MR. FOTE: I'm willing to serve on Michelle's committee also. If you get ten striped bass fishermen in the room, and you get ten climate change people in the room, and you would find in the climate change maybe get 48 to 52 percent is in agreement. In the striped bass you would get 10 percent, because nobody could agree with each other. That's usually when you get ten striped bass fishermen, when you come to rules and regulations.

Yes, I would be willing to participate in a workshop. But the other thing, Rob reminded me, thank you, Rob for reminding me. Back in the '90s when we did this, we assumed that Chesapeake Bay was doing 85 or 75 percent of the contribution to the coastal migratory stocks. Well as the years progressed, and that's when Delaware really still had a lot of problems left. It was not a big stock of striped bass being reproduced in the Delaware River.

That has changed over the years. Some years the Hudson River and the Delaware River make a bigger contribution than the 5, or 10, or 15 percent that we assumed years ago. It is estimated maybe up to 30 percent or 40 percent. I've been calling for a workshop on that for many years, to find out what is the actual contribution of the Chesapeake Bay?

What is the actual contribution of the Delaware River, and what is the actual contribution of the Hudson River? It would help us better manage the stocks to basically do that and fairly manage the stocks. I'm looking for that workshop. I've been waiting for it for about, I guess since the Delaware River recovered; hopefully that we would put on our agenda too.

CHAIRMAN GILMORE: John Clark.

MR. CLARK: This sounds like a lengthy process. We have already been under the Addendum IV reference points now for three years. You've heard from the fishermen in the Chesapeake, and from the Chesapeake states the problems that this addendum has caused in the Chesapeake; and as Tom was pointing out, we're having similar problems in the Delaware.

I would just like to know if there is any way that we could speed this process up; because I think that when we took a 25 percent cut on a stock that was not overfished and overfishing was not occurring that was a big cut. At this point there is going to be no relief to the states in the producer areas until what, 2020 at this rate?

CHAIRMAN GILMORE: I think John at this point maybe; yes I have that concern too. But I think the workshop; you know we get that going. Max had said and maybe we get better timeframes after we get that done. Now it sounds like we were looking for one of three options. Now we might be doing all three. But let's get through the workshop I think, and then we'll figure that out after that point. Adam, did you have your hand up?

MR. ADAM NOWALSKY: Yes, I did, thank you. Building on that lengthy process comment, in the TC's memo they requested guidance by the May Board meeting. Can we accomplish that with these tasks? I think would be my first question. Then the second question I had for the TC in this document. I found it noteworthy that in the same paragraph where they outlined their requested timeline, they highlighted the acceptable level of risk when it comes to preventing stock collapse.

Now most of the work that we do when we look at our reference points is to prevent overfishing; which is in large part a function of a management decision, a desired target biomass trying to achieve. But that element of acceptable level of risk, when it comes to preventing stock collapse, I'm not sure we really have any level of risk for allowing stock collapse.

We have level of risk for achieving targets or

thresholds. But I would love some clarity on what guidance we would provide there, preventing stock collapse. I was really struck by that. I wasn't expecting to see that in the document. Those two questions, one is the May Board meeting a critical timeline; and this element of acceptable level of risk of stock collapse versus just achieving some target or threshold.

DR. DREW: In terms of the timeline, May would be ideal for us in order to really fully, in order to get that guidance as soon as possible. But we do recognize that this is an incredibly complex issue; and there are a lot of moving parts and stakeholder considerations that have to go into it. If you guys provided us some guidance by August that would still allow us, we're planning on having a second assessment workshop at that point, and that would allow us to fold in those objectives at that point.

I think we outlined this timeline, so that we could develop reference points that could go to peer review; and be available for management use as soon as that peer review is complete at the end of the year. When we're putting this workshop together, or when you guys are participating in this, we may have to come to recognize that there may be no solution that makes everybody happy. But if you could provide us with some rough guidance to keep things moving forward that would be great. I think in terms of the timeline, August would still work for us if we need to get some kind of rough guidance at that point. In terms of the stock collapse question, I think you're right in the sense that we try to manage two targets and things like that. But I think there is an implicit, when you're setting those targets and thresholds, there is an implicit question of how risky do we want to be?

I think that has come up, certainly at the Board level, of talking about okay we've set this threshold for SSB at the 1995 level, where the stock was in great shape. That implies a minimal risk if you go below that of anything negative happening to the stock. But the question then becomes, if we relax that if we become less conservative, if we allow a lower threshold to

allow more fishing pressure.

Then when you go below that threshold you're in a riskier position. I think it's not just a matter of saying okay we're going to lower the biomass threshold; so we can allow more fishing pressure. You have to recognize that that comes with risks, and the Board should tell us what level of risk are you comfortable with; in terms of setting that threshold and setting those targets, so that you can balance the tradeoffs between how much fishing pressure you allow and how much spawning stock biomass you preserve; in order to buffer that potential risk.

When you drop below the threshold when the threshold is high that is a less risky action or a less risky occurrence than when you drop below the threshold when the threshold is low. We would like guidance on the Board, in terms of some of those questions; because there are obviously different levels that you could set that SSB target and threshold at, depending on what your management objectives are, and what your level of risk you are comfortable with. There is an assessment of risk implicit in all of these questions. We just want to make that explicit.

CHAIRMAN GILMORE: Okay David, you have cleanup. See I didn't make any baseball references today until now.

MR. DAVID E. BUSH, JR.: I'll try to avoid that one for the moment. Determining the management strategy or philosophy that best represents the stakeholders, is obviously something that is the heart of what we need to do. It's what we do to come here to set at the table. We have reference points; we need to stay between them. In doing so, what works for the people that will be out there?

It's going to be different up and down the coast. There are going to be different groups and what not. But understanding how difficult this is going to be. It's going to take time. I guess my question would be, as mentioned earlier in one of the earlier presentations. To change things would just simply be tradeoffs at this point. Those tradeoffs in my mind would be throwing

dead fish over the boat versus keeping them and maybe building a little more confidence in the process.

Are there any recommendations that might work in the interim that we are capable of instituting in the short term; that might achieve those goals? You know again, turning some discards into landings, building a little confidence in the process, and buying us some time until we get some of this very difficult stuff hammered out.

CHAIRMAN GILMORE: I don't believe, David, there is anything we can do short term. I think it's a problem we all are concerned about. But I think this is probably going to be the quickest way to get to it. I think the pleasure of the Board sounds like we want to go ahead with a workshop first. I think that would eventually get into some subcommittee.

I think the working group when we charged that; I'm sorry, the workshop today. That they will refine a timeline and we'll see how well we can do in terms of aligning with the stock assessment. Unless I hear any objection to that I think we'll proceed with that. We'll start with the workshop. I don't think we need a motion for this. We can just decide to do it. But Toni is raising her hand, so go ahead, Toni. Okay, Bob.

EXECUTIVE DIRECTOR BEAL: A quick question. Is the idea that the workshop would be during one of our quarterly meetings? It's a budget question.

CHAIRMAN GILMORE: Yes, Max and I were just talking about it. I kind of like the idea of maybe doing some kind of a call first to kind of frame that out. We can talk about the budget at that point to see how involved it's going to be. Is everybody okay with that approach? Okay seeing none; we'll proceed that way. We'll start with getting a workshop together and we'll see how it goes.

#### **ELECT BOARD CHAIR AND VICE-CHAIR**

CHAIRMAN GILMORE: Okay, the next item on the agenda, we actually have a unique thing. We have to elect both a Board Chair and a Vice-

Chair, because well Russ Allen is actually, if you haven't heard, is going to be retiring; and you know he volunteered to be Vice-Chairman. At any rate we need to get both a Chair and a Vice-Chair, so do I have any nominations, first for Chairman? Ritchie White.

MR. WHITE: This clearly is a great honor having to nominate two instead of one. **The slate that I nominate will be Mike Armstrong for Chair, and Michelle Duval as Vice-Chair.** She certainly is stepping up to the plate recently.

CHAIRMAN GILMORE: Are there second to that motion? Russ Allen seconding that motion, very good. Are there any objections to those two nominations? Seeing none; the unanimous consent, congratulations to our new Chairman, Mike Armstrong, and our new Vice-Chairwoman, Michelle Duval.

#### **OTHER BUSINESS MORTALITY DISCARD**

CHAIRMAN GILMORE: Okay, we're up to other business; and Mike, you wanted to bring up the topic on that mortality discard, so go ahead.

MR. LUISI: I'll be very brief. I wasn't anticipating the discussion that we had earlier, which I was happy to have. I'm glad that a number of the Board members here, we all should be very concerned over dead discards; it's a wasteful product of the work that we do. It's been brought to our attention not only through the science and through MRIP. But it's being brought to our attention every day by folks in the field; those fishermen who are experiencing this and seeing this first hand.

I just wanted to bring the matter up here today, and to inform the Board of the active role that Maryland is planning to participate in to help remedy the situation in the Chesapeake Bay. Now that Mike is the new Chair, I'll take the opportunity to disagree with you that there is not an interim process that we can go forward with. We can't wait any more. We can't wait until 2020 or 2021; however long this process is going to take for there to be some change to

what we feel is a very serious problem, a very serious trend in dead discards and waste in this fishery. We are going to take an active role; I've mentioned that. We've reviewed the Commission's guidance on conservation equivalency, and it is our intention at this time to work internally and with our stakeholders to put forth a conservation equivalency program for the 2018 summer/fall season for next year. In review of that guidance, what we are hoping for, Mr. Chairman, is that we could work through Mike in the coming months, and through staff to have TC review prior to the end of this year.

We would really hope that we could get on the agenda for the February meeting; to address that proposal, and discuss how we could begin at least in the interim between now and the benchmark process, look at trying to solve or at least correct the problem of turning dead discards into harvest. If anyone has any questions, I'm not going to get into any details at this time. I just wanted to make the Board aware of our intentions moving forward. We hope that we'll be able to have this opportunity in February to discuss the proposal.

CHAIRMAN GILMORE: Tom, do you have a quick comment?

MR. FOTE: When we did this in '94, '92, when we started opening the fishery up. There was a lot of education of how to hook and release fish; both bluefish and striped bass. Well that's a long time ago. We have a lot of new anglers in, plus back then we could communicate through newspapers, magazines and articles.

Well, nowadays we've got to do it in blogs, YouTube, and there are a whole bunch of other methods. What we really need to do is reach out, make some new videos that we can post online; to basically how to actively hook and release bluefish, striped bass, and many other species. Like the effort New Jersey tried to do with summer flounder.

We're hopefully going to continue that with other species over the years. I think it's about time Commissioners start looking at that. We

had these workshops back in the '90s. I think Pat Keliher attended before he got involved in fisheries management attending those workshops, and how we could get this to their anglers and their customers. We need to start doing that.

But we also need to look at other means of communication; because the newspapers are no longer there. They don't write those articles anymore like they used to; and the magazines are a dying breed, so we have to really look at other forms of communication the way the young people do it.

CHAIRMAN GILMORE: Okay Ritchie White, you get the last comment.

MR. WHITE: Thank you, I'll try to be brief. I would just recommend to the Technical Committee in this process that they do all they can to help Maryland try to achieve what they're trying to accomplish. If Maryland comes forward with a proposal that doesn't quite meet muster that the Technical Committee will try to give alternatives and advice as to how Maryland could reach what they're trying to accomplish.

I'm not sure whether that's normal in the Technical Committee, if the Technical Committee just declines and then asks the state to reapply; or whether they do give alternatives. But I just think that that is important that we try to do all we can that we don't go down the road that we've just recently been down.

CHAIRMAN GILMORE: Okay, just a last item we have before we adjourn is I have to do my swan song speech; because this is my last meeting as Chairman. It's been an honor and a pleasure serving for the last two years. I think we're leaving ourselves in good hands with Mike and Michelle.

I just wanted to say for all you folks that have never sat up here; we really don't know what we're doing. It's really the staff that keeps us well balanced. My congratulations to particularly Max, Nicole, and Katie, they just do an outstanding job, as with the staff. Remember,

Max, he's only been here a couple of years.

I mean so we got some new folks along with Megan or whatever. These guys are the best of the best of what we have here. I appreciate them, and I would give them a round of applause; unless there is any other business to come before the Board, sorry, Toni.

#### **ADJOURNMENT**

CHAIRMAN GILMORE: Okay we are adjourned and Toni's got the microphone.

(Whereupon the meeting adjourned at 9:22 o'clock p.m. on October 19, 2017)