

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

**Crowne Plaza Hotel
Old Town, Alexandria, Virginia
August 10, 2011**

Approved November 8, 2011

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INDEX OF MOTIONS

1. **Approval of Agenda** by consent (Page 1).
2. **Approval of Proceedings of March 23, 2011** by consent (Page 1).
3. **Move to approve Draft Addendum III to Amendment 6 as written for going out to public comment with one editorial change to the document to change the words “change the minimum size” to “change the size limit” under Option 1 and Option 1B under 3.2 and 3.3** (Page 11). Motion by Doug Grout; second by Terry Stockwell. Motion carried (Page 11).
Substitute motion to postpone this issue until the November meeting when the board will receive the stock assessment (Page 11). Motion by A.C. Carpenter; second by Pat Augustine; carried as the main motion (Page 19).
4. **Motion to adjourn** by consent (Page 25).

ATTENDANCE

Board Members

Terry Stockwell, ME, proxy for P. Keliher (AA)	Leroy Young, PA, proxy for J. Arway (AA)
Vincent Balzano, ME, proxy for P. White (GA)	Loren Lustig, PA (GA)
Steve Train, ME, proxy for Sen. Langley (LA)	Eugene Kray, PA, proxy for Rep. Schroder
G. Ritchie White, NH (GA)	Bernie Pankowski, DE, proxy for Sen. Venables (LA)
Doug Grout, NH (AA)	John Clark, DE, proxy for D. Saveikis (AA)
Rep. David Watters, NH (LA)	Roy Miller, DE (GA)
Rep. Sarah Peake, MA (LA)	Tom O'Connell, MD (AA)
Paul Diodati, MA (AA)	Russell Dize, MD, proxy for Sen. Colburn (LA)
Bill Adler, MA (GA)	Bill Goldsborough, MD (GA)
Mark Gibson, RI, proxy for R. Ballou (AA)	Steve Bowman, VA (AA)
Bill McElroy, RI (GA)	Sen. Richard Stuart, VA (LA)
Rick Bellavance, RI, proxy for Sen. Sosnowski (LA)	Cathy Davenport, VA (GA)
David Simpson, CT (AA)	Mike Johnson, NC, proxy for Rep. Wainwright (LA)
Rep. Craig Miner, CT (LA)	Michelle Duval, NC, proxy for L. Daniel (AA)
Lance Stewart, CT (GA)	Bill Cole, NC (GA)
James Gilmore, NY (AA)	Sen. Thad Altman, FL (LA)
Andrew Voros, NY, proxy for Sen. Johnson (LA)	A.C. Carpenter, PRFC
Pat Augustine, NY (GA)	Bryan King, DC
Russ Allen, NJ, proxy for D. Chanda (AA)	Steve Meyers, NMFS
Tom Fote, NJ (GA)	Jaime Geiger, USFWS
Adam Nowalsky, NJ, proxy for Asm. Albano (LA)	

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

Ex-Officio Members

Wilson Laney, Technical Committee Chair

Kelly Place, Advisory Panel Chair

Staff

Vince O'Shea
Kate Taylor

Bob Beal
Danielle Brzezinski

Guests

Amy Batdorf, MD DNR
Ryan Gary, MD DNR
Cameron Fletcher, MD DNR
Angela Giuliano, MD DNR
Erik Ziskovitz, MD DNR
Alexei Sharov, MD DNR
Ashley Moreland, MD DNR
David Brown, MD DNR
Patrick Paquette, MA Striped Bass Assn.
Jocelyn Cary, MA

Wesley Patrick, NMFS
Ken Hastings, Mason Springs Conservancy
Ray Kane, CHOIR
Ed O'Brien, MD
Drew Minkiewicz, KDW, DC
Shaun Gehan, KDW, DC
Theresa Lebron, PEW Environment Group
Arnold Leo, E. Hampton, NY
Rob O'Reilly, VA MRC

The Atlantic Striped Bass Management Board of the Atlantic States Marine Fisheries Commission convened in the Presidential Ballroom of the Crowne Plaza Hotel, Alexandria, Virginia, August 1, 2011, and was called to order at 4:25 o'clock p.m. by Chairman Jack Travelstead.

CALL TO ORDER

CHAIRMAN JACK TRAVELSTEAD: The Striped Bass Board will come to order.

APPROVAL OF AGENDA

CHAIRMAN JACK TRAVELSTEAD: Everyone should have a copy of the agenda in front of them. Are there any changes or additions to the agenda? Seeing none, the agenda is approved as printed.

APPROVAL OF PROCEEDINGS

CHAIRMAN JACK TRAVELSTEAD: You also have the proceedings of the March 23rd meeting. Is there a motion to approve those? Motion made by Pat Augustine; seconded by Bill Adler. Is there any objection to the motion? Seeing none, the proceedings are approved.

PUBLIC COMMENT

Is there any public comment on any items not on the agenda? Okay, seeing none, we're going to continue to move along. Just a couple of items before we go to the next agenda item; I understand there are a couple of New England states that will have to leave at about 6:00 o'clock for an Atlantic Herring Conference Call.

Hopefully we can get through most of the agenda before that. We're not going to try to outdo the Lobster Board today, but we'll do our best to get through most of it before they have to exit the room. Item 4 is an update on North Carolina's Fishery; Michelle.

UPDATE ON NORTH CAROLINA'S FISHERY

DR. MICHELLE DUVAL: Mr. Chairman, I'll try to save us five minutes here, but I do reserve the right to potentially use that later on during our deliberations. The last time I was here before you I informed you that our Marine Fisheries Commission had requested that staff develop an issue paper with regard to the commercial use of hook-and-line gear in our Atlantic

Ocean Striped Bass Fishery. That paper is included in your briefing packet.

The commission was presented with this paper at its May 2011 meeting and they voted to send this out to our four regional advisory committees as well as our finfish committee for public review and comment. There was a wide array of options contained in that paper. As you can see, the advisory committees had various opinions on which options should go forward. There was no dramatic consensus.

Several wanted the trawl gear replaced with hook and line. Several requested that hook and line be added to our current array of commercial gear types. The results of the public comment are going to be presented to our Marine Fisheries Commission next week. Surprisingly, there wasn't that much public comment received outside of our advisory committees; maybe 12 or 13 comments altogether.

I think from the division's perspective our goal has been clear that we want to prevent an incident from occurring again as what happened earlier this winter; and from our perspective any management changes should have the goal of reducing waste and conflict in the fishery as well as increasing flexibility, equity and opportunities.

We have been working on a potential draft example that would hopefully do this to present to the commission, and we're working on refining that right now. I'd be happy to update the commission further. I can send an e-mail to Mr. Chairman which could be disbursed to the rest of the board after the commission makes some decisions next week. Thank you.

DRAFT ADDENDUM III FOR PUBLIC COMMENT

CHAIRMAN TRAVELSTEAD: That would be great and we'll be glad to pass on an e-mail. Any questions of Michelle at this point? Seeing none, thank you, Michelle. We're going to move on to Item 5, consider Draft Addendum III for public comment. At our last meeting the board voted to direct the PDT to prepare an addendum to consider options to reduce striped bass fishing mortality by up to 40 percent and to implement the provisions of that addendum prior to the start of the 2012 fishing year.

The PDT has been working under that motion to prepare that addendum, and, Kate, you're going to take us through it and then we'll hear from the

technical committee and the advisory panel and then open it up for questions.

PRESENTATION OF DRAFT ADDENDUM III

MS. KATE TAYLOR: As the chairman stated, in March the board tasked the PDT with the development of Draft Addendum III. The goals of this addendum were to develop options to reduce fishing mortality up to 40 percent and to protect the spawning stock when it was concentrated and vulnerable.

Specifically, the board instructed the PDT to propose bag limit reductions in all recreational fisheries, adjustments to minimum sizes in the coastal commercial and recreational fisheries, reductions to the coastal commercial quota, revisions to the target F for fisheries in the Chesapeake Bay and Albemarle Sound/Roanoke River management areas which would complement reductions in the coastal fisheries, and at least 50 percent reductions on fishing for striped bass in known spawning areas during the spawning season.

There are a number of management triggers that are contained within Amendment 6 which would invoke board action. While these have not been activated, declines in catch and abundance as well as low recruitment have been observed. Additionally, current research indicates that non-fishing mortality in Chesapeake Bay striped bass has significantly increased since 1999.

It is estimated that mycobacteriosis currently infects more than 50 percent of Chesapeake Bay striped bass and is associated with this increased mortality. Members of the fishing community have also raised concerns over the availability of striped bass from the coastal migratory population.

Current management under Amendment 6 is through a target F of 0.3 for the coastal area and 0.27 for the Chesapeake Bay and Albemarle Sound/Roanoke management area. The coastal commercial fishery is managed through annual quota, and the recreational fishery is managed under a two-fish bag limit with 28-inch minimum size.

Under Amendment 6 states are permitted to submit management plans that are conservationally equivalent. The coastal commercial landings have averaged approximately 3 million pounds since 2003 with 60 percent of the harvest coming from Massachusetts and New York. In the Chesapeake Bay the commercial fishery has landed on average

4.2 million pounds annually, and the Albemarle Sound/Roanoke River commercial fishery quota, which is set at 270,000 pounds, has only landed about 60 percent of their quota annually.

In total the commercial fishery landed 7.29 million pounds in 2010, which is a decrease in landings from 2009 and slightly lower than the 2003-2010 average. Coastal recreational harvest since 2003 has averaged 19.6 million pounds annually and is predominantly coming from Massachusetts, New York and New Jersey.

The number of fish released alive has decreased by 75 percent since 2006 to a low of 4.8 million fish in 2010. In the Chesapeake Bay, recreational harvest has decreased by 50 percent to a low of 2.8 million pounds in 2010. The number of fish released alive has also decreased 70 percent. The Albemarle Sound/Roanoke River recreational quota is set at 275,000 pounds and the average annual harvest has been usually less than half of the allowable quota since 2003.

This graph is just showing the recreational harvest versus the releases, and this shows you the landings for each fishery by sector. As of the 2009 striped bass stock assessment update, the stock is not overfished and overfishing is not occurring. Amendment 6 establishes requirements for measurement and use of juvenile abundance indices.

For the 2010 review of the JAI, a single year of recruitment failure occurred in three states but three consecutive years of recruitment failure did not occur in any of the survey areas, so no action was triggered as required under Amendment 6. The impacts of mycobacteriosis on stock health were previously discussed.

This graph from the 2009 stock assessment update is showing the annual SSB abundance and recruitment. Based on the board motion, the PDT modeled the projected total catch through 2016 based on two different recruitment scenarios. These recruitment scenarios were developed from the 1989-2008 age one population estimates calculated from the 2009 stock assessment update.

Three scenarios were initially developed, a low, an average and high; however, the low and average scenarios were selected for inclusion in the draft addendum in order to be precautionary when accounting for the impacts of mycobacteriosis on future stock status. These projections assumed a

constant natural mortality at age and selectivity at age.

The PDT would like to stress the assumptions of using these projected estimates. First, the projections were developed from the 2009 assessment update and may change based on the new assessment update expected to be completed in September. Second, there is inherent risk and uncertainty in choosing one recruitment scenario over the other.

Third, projecting on the spawning stock in one area would not necessarily lead to increased availability of striped bass in other specific regions. Fourth, any current changes in management will not be realized in increased SSB productivity or recruitment for at least eight years. Based on the board motion, the PDT modeled a 10, 20, 30 and 40 percent reduction to the total catch as well as the status quo. This table, which is contained within the executive summary, shows the F under each reduction alternative, the estimated decline in catch that would be required to achieve this new F and the estimated change in abundance after eight years under both the average and low recruitment scenarios.

Modeling done by the PDT to show the catch through 2016 – and this is the low recruitment scenario under each of the reduction alternatives and this is the average recruitment scenario. The PDT included a number of different management alternatives in the draft documents for the both the commercial and recreational fishery.

The first option under the commercial fishery management options is to change the minimum size. Changes to the coastal commercial minimum size would also require revisions to the target F in the Chesapeake Bay and Albemarle Sound/Roanoke River fisheries. Changes could include increasing the minimum size or alternatively implementing a maximum size.

The second option is to reduce the commercial quota and any reductions to the coastal commercial quota would also require revisions to the target F in the Chesapeake Bay and Albemarle Sound/Roanoke River fisheries. Option 3 is to implement a closed season. Option 4B is for states to propose plans to reduce fishing for striped bass in known spawning areas during the spawning season.

Spawning areas are designated as those jurisdictions bordering the Hudson River, Delaware Bay, Chesapeake Bay and the Albemarle Sound/Roanoke River area. Option 4C is for states to propose actions

to reduce the harvest on striped bass when they're located on the wintering grounds.

Under the recreational management options, there are a number of options that are included in the documents. The first is to change the minimum size similar to the commercial option. Changes to the coastal recreational minimum size would also require revisions of the target F in the Chesapeake Bay and Albemarle Sound/Roanoke River fisheries. Changes could include increasing the minimum size or alternatively implementing a maximum size.

The second option is to reduce the recreational bag limit to one fish per day per angler. The third option is to implement a closed season. The fourth option is to resume quota management in the Chesapeake Bay spring trophy fishery. Currently the spring trophy fishery will remain under non-quota management until the stock assessment determines that corrective action is required for the coastal migratory striped bass population.

Option 5B is for states to propose plans to reduce fishing for striped bass in known spawning areas during the spawning season. Option 5C is for states to propose recreational actions to reduce harvest when striped are located on the wintering grounds. Implementation of the addendum, if it is passed for public comment today, would include a 30-day public comment period.

I've included some information on the stock assessment update on the right-hand side of the screen. If the public comment period was closed by mid-September, that is the expected completion date for the stock assessment, at which time the PDT and TC could incorporate the results of the stock assessment and public comment into the development of final options for the addendum which would be presented to the board at the November meeting along with the stock assessment update, and provisions of the addendum could be implemented in January 2012.

CHAIRMAN TRAVELSTEAD: Any questions at this point? Bill.

MR. WILLIAM A. ADLER: Back when you were first giving your presentation on the released and you said that the striped bass release mortality had gone down or up and was that caused by fish that went over and then died or just more fish were taken instead of thrown over alive? You said alive and it went down.

MS. TAYLOR: I believe you're referring to the number of fish that were released alive, which has decreased by 70 percent and that's just basically they're not keeping – they're not throwing back as many fish.

MR. ADLER: Okay, thank you, so in other words it's that they're keeping the fish instead of throwing them over and then we have to deal with the dead discard thing. Thank you.

MR. THOMAS O'CONNELL: I just had a question under Option 4 under the recreational management options of the Chesapeake Bay Spring Trophy Fishery. I was a little curious as to why that was separated out from the general Option 5, spawning stock protection. A few years ago the board had this discussion about removing the Chesapeake Bay under this quota management.

Given the size of that fishery versus the overall size of the coastal harvest, I was just curious as to the reasoning and the likely harvest reduction benefits from having it under a quota-based management again.

MS. TAYLOR: The PDT just felt that fishery should be addressed when looking at the other fisheries and that if there were going to be changes in the coastal or non-coastal areas, that this was something that should also be included in the document.

MR. DOUGLAS GROUT: Kate, I had a couple of questions on the management options. One, as I saw in here there is no option for putting in a maximum size limit; is that correct?

MS. TAYLOR: There is the option to change the minimum size limit and that could include a slot limit, a maximum or a minimum size limit, so just changing it in general.

CHAIRMAN TRAVELSTEAD: Is the maximum size limit specifically listed in the document, though, or is just listed as changes in minimum size?

MS. TAYLOR: Just changes in minimum size.

MR. GROUT: Okay, I get the point here. It didn't seem like it was written very specifically. It says changes in minimum size, so I wanted to make sure that might be an option and at some point in the future I might offer that option.

MS. TAYLOR: And that was the decision by the PDT to keep the management options generic just

because there could be an increased minimum size, include a slot limit, include a maximum size; and there were so many different combinations of options that could be included, it was just kind of change this minimum size restriction to something else.

MR. GROUT: So changing a minimum size is also considered changing a maximum size. The other question I had concerning the minimum size options here is Options 1C and 1D in both the recreational and commercial talk about revising the target F to achieve changes to the minimum size. I don't get the connection here.

Why wouldn't we just say change the minimum size in the Chesapeake Bay and Albemarle Sound/Roanoke River as an option because you also have that – why wouldn't you just have an option to change the minimum size in the Chesapeake Bay and the Albemarle Sound/Roanoke River because you also have the option of changing the F in the quota management. I didn't understand the connection between changing F and minimum sizes.

MS. TAYLOR: The Chesapeake Bay is managed differently than the commercial migratory stock, and that's why there are those – the coastal commercial migratory stock so that's why there are those differences.

CHAIRMAN TRAVELSTEAD: Any other questions? Vince, did you have a comment?

EXECUTIVE DIRECTOR JOHN V. O'SHEA: I'm thinking I'm okay for now, Mr. Chairman, depending on what else happens. Thanks.

CHAIRMAN TRAVELSTEAD: Any other questions at this point? Gene.

DR. EUGENE KRAY: Kate, when the PDT was looking at the maximum size; did they have any recommendations as to what size that might be?

MS. TAYLOR: The PDT was not able to determine any specific recommendations for regulations since there were just so many different combinations that could be looked at.

DR. KRAY: But if we were to come up with a maximum size and, of course, a minimum size, then we would create a slot limit, then, but it could be a combination of factors, too. It could be one fish and a minimum size and maximum size, and then, of course, we always have the season. Those are the three tools that we have in the toolbox.

MR. PAUL DIODATI: Kate, can you just explain a little more the timing for the stock assessment, the completion of that and how that gets back to the board and so forth. Then I have some follow-up questions.

MS. TAYLOR: As of now the striped bass tagging subcommittee and stock assessment subcommittee are meeting next week to run through their modeling and develop the preliminary assessment, which will then be reviewed by the technical committee. It is expected that we could have the completed stock assessment done mid-September.

If this document is sent out for public comment and the public comment period ends around the same time that the stock assessment is completed, both of those two pieces could feed back into the PDT and TC into the development of final management actions contained within the document. However, of course, the board will not have seen what the public comment is in an actual meeting setting and as well as the striped bass assessment update. That information can be forwarded to the board but again it won't be at a meeting. It would be outside of the meeting. And then in November the board would hear the assessment update from the assessment chair.

MR. DIODATI: I think the reason we're at this point – in fact, when you look at this document and you consider the condition of the population compared to some of the other stocks that we've been dealing with, this stock is still in very good condition overall. The problem is that we've had a long run of poor juvenile recruitment; and because of that it has gone long enough that it has impacted our catch/release fisheries.

So a lot of the pre-recruits to the fishery are not being caught to the point where we're down about 75 percent in terms of numbers of fish, so will the stock assessment – at least I'd like to see when the stock assessment is done that the team actually looks at that data stream and the stream of poor recruitment and how that feeds into future projections.

Even if we get a good year class this year or several good year classes from the various spawning stocks, we're still faced with this depletion and availability of resource, and it's going to have some impact. That is something I want to make sure that we see that in the stock assessment. I'm also not very comfortable – and it has all got to do with timing. I think your

work has been good, the PDT has done its job, and there are a lot of options here.

Under normal circumstances it looks like we're ready to go forward, but moving forward without that stock assessment or them coming together at the same time; I'm not comfortable seeing the stock assessment information at the same time that the public is seeing it in a public forum. I think the timing – hopefully we'll have a better discussion about the timing.

And also when I look at this document, it seems that although there is a treatment on the impacts of myco on Page 15, it's only a few paragraphs. It's my understanding that might be the root of the problem that we're facing today, and I'm not sure if the TC is going to be in the position to elaborate on that.

It talks about myco appearing to be a significant cause of mortality of juvenile striped bass, but it doesn't give us any weighting – I'm not sure what that means. I guess I'd ask if the TC has information about sex ratios in Chesapeake Bay over the past decade or so. I'd be curious to know if those sex ratios have changed.

The reason I ask is I'm assuming that typically we see a sex ratio that favors males in Chesapeake Bay and if myco or other things, other than fishing, are impacting those fish, there should be a change in that sex ratio favoring fewer and fewer males. I'd like to see that if the technical committee has an opportunity to look at data like that.

CHAIRMAN TRAVELSTEAD: Wilson, can you respond to that at this point?

DR. WILSON LANEY: Let's see, Paul, you said you would like to see us look at the recruitment stream and we are in the process of doing that. You will see in the draft addendum we included the juvenile abundance index time series for all six of those that are available to us. Not all those are used in the stock assessment, but those are included in the document for your information. We'll definitely be taking a further look at those. Actually, I think the age ones was what Gary Shepherd used in doing these projections. You can see that when those are factored into the projections that Gary did, the low recruitment one shows continuing decline in the stock biomass.

The average recruitment, on the hand shows increases in the stock biomass. What the stock does is pretty dependent on recruitment. Relative to the

mycobacteriosis, yes, we included some information on that. You all have been briefed on it in the past. The way that we propose to address that in the benchmark stock assessment, which will be taking place in 2012 and 2013, is to look at the fact that it's pretty definitive that M has gone up at least in the Chesapeake Bay.

The hypothesis is that it is due to the mycobacteriosis, so we will attempt to factor that into that benchmark assessment. Since this is just an update, we're not changing anything. It has to remain the same way it was in order for it to be comparable to the last assessment. We're very aware of it. We're thinking about ways to address it in the benchmark, but nothing is going to change as far as the update goes. I think M has still got to be at constant 0.15.

Then the last question you asked about the sex ratio data, yes, we have that information for Chesapeake Bay. That topic came up on our technical committee conference call, and there was some indication that at least one of our members thought that the sex ratio had changed but then subsequent information indicated that maybe it hadn't changed as much as that one individual thought it had. We do have that information and we'll definitely take a look at that and that can be added in, but definitely that will be something that we will report out in the assessment update. If you want us to include that information, we do that.

MR. THOMAS FOTE: Maybe I'm missing something. I'm looking at Page 14 when I look at juvenile indexes, and I'm looking at New York in 2007 they had the highest juvenile index they ever had. They have basically been consistently over above average in the last – since 1999. I'm looking at New Jersey, the Pennsylvania Delaware River and I look at the juvenile index there, and again we had one of the highest – the third highest level in 2009 than we've ever had, so we're above.

We're always constantly above the average in the last – except for one year in the last end. And then I'm looking at Maryland and it's all above the average. It's just not at the all-time high; so when we say we are having recruitment failure, I think that's a misnomer. I'm trying to figure out what we're doing here. You know, I'm looking at this document and unless I'm seeing this document wrong, I don't see recruitment failure when you have JAIs that are that high.

DR. LANEY: Tom, we're not saying we have recruitment failure. What we're saying is we had relatively low recruitment. If you look at those graphs, first of all, remember that the Chesapeake contributes on the order of maybe 80 percent of the coastal migratory stock, so it's the stock that drives all the others pretty much in terms of what you see on the coast.

While the numbers are above that long-term average, the numbers are really low. If you look at those high peaks from, what, 1992, 1997, 2002, 2000, in those area, we had a series of really, really high ones relative to the average, which pushed that spawning stock biomass to a really high level, and now it's basically going back down again in response to those relatively low recruitment. We don't have recruitment failure.

It would take three years in a row for us to have numbers below whatever the criteria we set, which is, what, below 75 percent over the long-term average of the arithmetic mean. So we haven't had any three-year period where those numbers were that low, which would constitute recruitment failure as we've defined it.

Now, we have had an odd year here or there in a couple of the stocks where you had one year that was below that number, so don't confuse low recruitment with recruitment failure. We have not had recruitment failure.

MR. FOTE: Yes, but I want to understand what low recruitment means. When you are above average on the recruitment; yes, we're not going to be the same recruitment that we had in '92 when we had some of those fantastic years because we basically had a moratorium, so nobody was fishing on any fish during that period of time, so, of course, you have got a lot more fish that were spawning, but I'm looking at trying to figure out what do you mean by low recruitment over average recruitment because that's what I'm seeing in this document.

MS. TAYLOR: Within the modeling that was done, the values for low recruitment were chosen basically at random from within the lower 50th percentile of recruitment during the 1989-2008 period. The average recruitment, the input to the model was a random value chosen from among the age one population estimates from that same time period.

DR. LANEY: So basically, Tom, that is how Gary Shepherd defined it when he did his projection model.

REPRESENTATIVE DAVID H. WATTERS: Mr. Chairman, I have another question on the mycobacteriosis, and I'm referencing on Page 15 in the report about the Jacobs Report. I'll just read the sentence for those who don't have it front of you. The study says they further indicated that effective multi-species management of predator and prey; e.g., Atlantic menhaden offers one of the few potential intervention strategies for addressing this disease in a relatively short timeframe. I wonder if you could explain that a little further.

DR. LANEY: I'll take a shot at it. My understanding, David, is they they're basically saying that given the fact that we're already managing for a very low F and given the impact of the disease, trying to increase the available forage for striped bass is one of the few effective management strategies that those authors saw was available to the board.

I would say any other forage species, Atlantic menhaden certainly would be one, but river herring traditionally have been a fairly significant striped bass prey item. They also are at a low level right now. When they're offshore they eat lots of other things, too, so I think they are probably coming from the perspective of looking at it from an ecosystem-based management perspective and saying that we're better off if we try not to manage striped bass or any other species, for that matter, in isolation of other factors, and in their opinion that was one of the few that the board might want to take a look at.

MR. WILLIAM GOLDSBOROUGH: Mr. Chairman, I wanted to raise the same issue about the Jacobs Paper, but before saying that I wanted to note that I want to echo what Tom Fote and what Paul Diodati said in that first with Tom, that the Maryland Juvenile Indices in recent years haven't been that bad.

They only look bad relative to the unusual high production we had in the decade between the early nineties and the early 2000's, as Wilson described. I think they can fully account for the reduced abundance in the Gulf or Maine or Northern New England that people have been seeing. I do think that mortality in Chesapeake Bay from mycobacteriosis is the 800-pound gorilla in the room, and Paul reference that.

On that paragraph about the Jacobs Paper, I'm glad that final sentence is in there; the one that was just read, but I think there might be a little confusion in there in that the parts of the paper that we chose to

highlight in the sentence before that don't lead so logically to that following sentence.

I think we need to maybe ask the PDT to go back and maybe rework that paragraph a little bit. At least the abstract had some pretty strong language that might be useful. For example, it says that this is the first study to demonstrate the interaction of diet and mycobacteriosis in fish. In particular the first sentence in the abstract, the topic sentence, pretty much captures it all when it says that challenge studies clearly demonstrate that a poor diet affects the progression and severity of mycobacteriosis in striped bass. That clearly from these challenge studies leads to that concluding sentence in that paragraph. Thank you.

MR. PATRICK AUGUSTINE: Mr. Chairman, good presentation, and it looks like the document is well put together, but the points that were raised; again, I would like to reiterate Dr. Laney responded to a series of questions I had at the last meeting in describing whether the status of the stock was really in danger.

There is a perception that it is; and again as Mr. Fote mentioned there have been some trends up and down but no real indication that we're on a sharp decline. From what I can understand and what we see in our backyard, we're having a tremendous run of fish. I'm not sure how many small ones we're seeing, but folks are only interested in catching big ones.

The whole goal of this plan, as I recall, was to bring the striped bass population to a very high level to satisfy needs for recreational anglers and for economic measures and reasons. Again, without moving this thing forward and back to the PDT for a little more fine tuning, it would seem to me we've taken aggressive action to develop this in a short period of time.

However, I would hope that we hold it in abeyance for the further development or assessment as Mr. Goldsborough mentioned until we get the stock assessment in 2012. Some folks on the inside say, well, yes, we've got a problem with striped bass, we're not seeing small ones. Other folks are saying we're saying we're seeing a tremendous number of them.

It reminds me of the fact that we're managing single-species management and here we are again – and striped bass is very important for economic purposes, but the fact of the matter is we have other species of fish that are in more dire need of our staff work and

staff effort to try to move along, and I won't reiterate those.

Some of the management board decisions we have made will not change the status of those stocks; i.e., weakfish and winter flounder, but maybe some of our staff efforts could be directed toward identifying monies to do continued research to maybe look at how we can address those issue by hatchery building those stocks up to a level we can bring back to a natural of the species out in the ocean. I think having said all that, I think we're at a place right now – the staff has responded to a document and to the public's concern about not seeing extensive or large year classes, but until we have a full-blown report and again further venting as to what Dr. Laney said is to a degree the stock is at state of equilibrium and it would be at a different level than it was before.

Dr. Mark Gibson also stated the same in his assessment that he had in our readout. Jaime Geiger also responded to the importance of the stock and how much effort we're putting into one particular fishery and how many dollars and staff hours go into doing what we do to make sure that striped bass remains at an extremely high level.

On the other hand, it just seems to me that we should put things in perspective. One is that we need to get a full-blown assessment, get it in our hands so that board can make some real rational decisions as to how fast and how quickly to go forward with any changes to the plan. Thank you, Mr. Chairman.

CHAIRMAN TRAVELSTEAD: Was there a question in there, Pat?

MR. AUGUSTINE: I could make a motion, Mr. Chairman, if you'd like it as a motion.

CHAIRMAN TRAVELSTEAD: We're not ready for that yet.

MR. AUGUSTINE: I know that.

CHAIRMAN TRAVELSTEAD: Let's hear from Wilson first. He has a brief report from the technical committee and then we'll come back for additional questions.

TECHNICAL COMMITTEE REPORT

DR. WILSON: The technical committee did review the draft addendum and had comments on it which have been incorporated into the version that you have before you. Just a few points that the technical

committee wanted me to convey to the board; the first is that the technical committee was somewhat uncomfortable moving forward given that a stock assessment update is forthcoming, and just to stress that will be merely an update

It's not the benchmark assessment which is coming later in 2012 and 2013, and we'll address a number of issues that we've been carrying forward for a number of years now like time-varying M and mycobacteriosis and scale versus otolith ages and all those sorts of things that we'll try and roll into that benchmark.

The second thing is that however despite that the technical committee understood that the management board's intent was to go ahead and address public perceptions and concerns and to be proactive should action by the board be necessary. They participated, I would say, wholeheartedly in the review and development of the addendum.

As Kate already noted in her summary, the technical committee wants the board to understand that the actions that you would take in response to this addendum would likely not be manifested in the stock until five to six years down the road. I think everybody understands that clearly. It takes that long for striped bass to recruit to the fishery, so we've got them built up to a very high level now.

Obviously, one concern that I've heard quite a bit is we want to see more large, older fish in the stock. We want to see more fish in New England. It takes a while for that to happen. Even if you take action very rapidly, it will be a while before those changes manifest themselves in the stock. Again, Kate went over those caveats with you.

And then finally should you decide to move Addendum III, the technical committee would really like to hear from you what your preferred management options might be. Obviously, the PDT with assistance from the TC put every option that they could think of into the document that would begin to address reducing F by up to 40 percent.

Clearly, if you wanted us to analyze all of those, it would take quite a while because there are a very large number of options; so to the extent that you could reduce those by indicating to us what your preference might be for how you like to further reduce F in the stock, that would be greatly appreciated. That constitutes my report, Mr. Chairman.

CHAIRMAN TRAVELSTEAD: Thank you. Any further questions? A.C.

MR. A.C. CARPENTER: One of the things that I noted in the document and it was brought back to my attention when there was a reference under the myco section of Jacobs et al, while a lot of people are familiar with that paper it's not listed as one of the papers in the bibliography here. There are a few others like that so I'd like to see, if you have the opportunity to go back through this and verify that all of the references you have are listed.

MR. JAMES GILMORE: Wilson, I guess I've had with this and what Pat and Tom Fote had alluded to before, there seemed to be different things going along the coast, and it seems there are issues in New England, there are issues in the Chesapeake, and what we have been seeing in New York has been maybe different from that, and that's why maybe we're thinking a little bit differently than the rest of the folks around the table.

I guess the problem I'm having at this point is that we quickly got to a motion at the last meeting to do a 40 percent reduction coastwide and a 50 percent reduction in spawning areas before we even know the magnitude of the problem. So now you've got a document in front of you that is looking at different options under a 40 or 50 percent reduction.

Now, if we get the stock assessment out and it turns out things are either worse or better than what we think is going on; do we have the options to like reduce that percentage down or did you guys look at is that really necessary at this point in time? It's kind of an odd question because it's like – you know, it has been said before – the cart before the horse.

I don't see a problem locally. I'm not saying there is not a problem on the coast and I'm not saying we don't have to do anything, but we seem to have numbers all over the table right now and reports and we're not exactly sure if they're the right numbers or not. Do you guys look at, in terms of what you know now, if those numbers are close to what we should be doing or not doing?

DR. LANEY: No, Jim, we didn't. We were following the guidance in the board's motion, which said look at options for reducing mortality up to 40 percent, so we elected to start with the status quo – that's in there as an option – and should the assessment come out and say the stock is not overfished and overfishing is not occurring, then obviously the board has the option of remaining with

the status quo, and then we just went ahead and incremented from zero to 40 percent and just picked 10 percent increments to make it relatively easier for Gary to do the projection work. We didn't consider whether or not this attains the – well, we considered whether or not it achieves the objective of reducing the mortality rate by those different increments. That's as far as we went.

MR. RUSS ALLEN: Mr. Chairman, a question for Wilson regarding spawning stock surveys. I know each of the spawning areas has a spawning stock survey done in their areas. I was wondering if the technical committee had looked at the recent data as they were going through all this at their last conference call.

I know that Delaware and Pennsylvania do a spawning stock survey for the Delaware River and Delaware's CPUE for 2011 was the highest on record. 2010 was I think second or third highest on record. We do know that the Delaware stock is doing well, and I was just curious if the other jurisdictions, the Roanoke/Albemarle and the Hudson, how they were doing and also the Chesapeake, if you had any of that information? Thank you.

DR. LANEY: We didn't look at those individually, Russ. We do have that information so that is something that we can look at and see what those trends are doing in the CPUEs for the different spawning stock biomass.

DR. JAIME GEIGER: Mr. Chairman, I appreciate all the previous questions that have been raised and I think what I'm seeing here in a draft document, it's not necessarily what we say but it's how we say it. I think it leads readers to make some inaccurate conclusions or inappropriate conclusions based upon some of the statements in the addendum.

I would urge all of I think need to redouble our efforts to review this document again. Again, it's nothing against all the hard work that everybody has done to put it in, but I think it lends some inconsistencies and some maybe overall emphasis on one or two papers that may not necessarily bear to be true. I would just urge us to make sure that we are indeed intending and actually saying what we mean to say based upon the best available scientific data.

Secondly, Mr. Chairman, I think I'm beginning to feel strongly that we need that stock assessment in hand. We need to have it available. We need to have it factored into the equation, and I think we need to look at it with the complete picture of what is

happening with striped bass coastwide. I think we are going to raise more questions than we are going to provide answers unless we do that first. I think we definitely have the cart before the horse in this one, and I would urge us to wait until we do have that stock assessment before this document goes out.

CHAIRMAN TRAVELSTEAD: Before we get into that issue, let's go ahead and hear from the advisory panel and then we'll get into the timing issue.

ADVISORY PANEL REPORT

MR. KELLY PLACE: The advisory panel met on July 22nd through a conference call of about two and a half to three hours. We wanted thank Rob O'Reilly from the technical committee who sat in, much as Wilson did previously. That really helps us having a member of the technical committee there so we want to thank him for his patience and forbearance. He made the whole thing kind of like a love fest, so that was nice.

We were briefed on the draft addendum, of course, and we have split in several ways as to whether it should go out to the public. It was pretty clear that especially with the Maine and New Hampshire people, given the issues they have been bringing to the board for quite some time, that they are pretty much gung ho for the addendum to go out.

A number of other recreational fishermen from other states, though by no means all, also were pretty strong at the beginning of the conference call thinking that the addendum should go out. There were a number of reasons. They basically wanted to be proactive and not get caught short if there was a problem.

One thing that wasn't mentioned in our conference call but was on previous conference calls probably because Maine and New Hampshire weren't in there was they feel that the signs of the paucity of fish in their waters is a sign of a truncated stock, and, of course, the board has heard a lot of times that is often the first sign of a stock that is in decline when the extremes of their range start to disappear and the stock becomes truncated.

Now, there were, of course, other options that was not the case here, that maybe Maine and New Hampshire does not have historically a fishery every year to the extent that they had during our boom years when there was unprecedented bountiness of the fish. But, there were some very good examples that we have gotten from people in Maine and New Hampshire of how bad the CPUE was there.

Now, of course, some people thought it was the economy that was causing the drop in effort and in catch, but they also had some good examples juxtaposing various surveys from this year with other years that also showed a drop, so I think everyone is pretty well aware of what the Maine and New Hampshire and a lot of the other recreational stand is on that.

There were some that also thought the addendum should go out but really only as a safeguard and kind of contingent on what the stock assessment showed. If the stock assessment showed action was needed, then, of course, they would like to see action, but they weren't determined to have the addendum come forward until the stock assessment showed that it was definitely needed.

And then on the other side there were we'll call it two categories of groups that thought that the addendum should not go out at all. In a general sense some thought that basically the document needed a lot more specificity in terms of – there were so many options that had such broad parameters, that people wanted something more concrete like what is our shortened season, what is going to be the size limit.

The range of options was nice to have but it was almost overwhelming I think for some of the advisors. And then a lot of their comments that took probably most of the time were those that didn't think the addendum should go out at all, and that was split between recreation and commercial.

One of the main points that was brought up – and I think others have alluded to it – is that given the scarcity of time and money and everything else, not to mention the amount of resources that have been put toward this one species and kind of ignoring some of the other species, that it wasn't money well spent in the opinion of many.

I think the people that didn't want to see it go out justified it by saying of all the benchmarks and all the triggers we have out there, whether it's spawning stock biomass, female spawning stock biomass, the targets, the thresholds, none of the triggers have ever been hit, so the people that really strongly thought it shouldn't go out would cite one trigger after another that hadn't been hit and basically wondered why in fact we have a target and a threshold if we're going to treat the target like a threshold and never having reached the target.

At least once hind-casting, whether it's the VPA or the statistical catch at age, once hind-casting, you know, get a couple of years, it has been shown that the target hadn't ever been hit. That's assuming that those calculations are correct. One pretty important point that came up was the whole question – I think it was maybe Paul or someone that alluded to it or maybe it was actually Mr. Geiger – some people feel that we're approaching this in a single-species management manner where no one has calculated it, and they would like to hear calculations on what might happen to some of the other species like American eel, weakfish, shad and river herring and if an increase in striped bass would negatively affect that, and you can imagine how that conversation went.

One reason, too, that was discussed a fair amount was the economic situation and just the economy in general, why there is so little effort in the recreational fishery; of course, gasoline and all the other peripheral issues that result in less people going out. So we were basically split. I think most of the discussion from the AP was a reflection of the issues you've heard here around the board.

I guess to close it off, since myco has been discussed a bit, the same thing that someone brought up is would an increase in striped bass hurt or help the mycobacteriosis situation. We didn't know that and I don't anyone really does. I think because of the lack of specificity of some of these things and not having a stock assessment, maybe half of the panel was very reluctant to have that come out. But, again, I want to stress that a good portion of the panel also thought that we should proactively initiate the addendum and at least have it in our pocket in case the stock assessment shows it is needed. That's about it. If anyone has gone any questions, I would be happy to answer them.

CHAIRMAN TRAVELSTEAD: Okay, you've heard from the staff and the technical committee and the advisory panel. I do have a couple of hands up. We'll hear from them and then I think to make the conversation more fruitful we'll need a motion on the addendum one way or the other. Doug.

MR. GROUT: Well, Mr. Chairman, my hand was up, one, to make a comment, but most importantly to make a motion. Would you like me to wait on that until we hear from other people?

CHAIRMAN TRAVELSTEAD: No, why don't you go ahead.

MR. GROUT: **My motion is approve Draft Addendum III to Amendment 6 as written for going out to public comment with one editorial change to the document, and that is for clarification for the public I would like to change under Option 1 under 3.2 and 3.3** where it says "change the minimum size" that we just change the size limit – just state "change the size limit under Option 1 and Option 1B, under 3.2 and the same applies to Section 3.3. It's just for clarification.

CHAIRMAN TRAVELSTEAD: Seconded by Terry Stockwell. All right, let me go back to my original list and then we'll pick up others who want to comment. A.C.

MR. CARPENTER: Since we've got a motion on the floor, I'll forego the comments I had and I would like to speak against the motion. **I'm prepared to offer a substitute motion to hold in abeyance or table this issue until at least the November meeting when we have the update of the stock assessment available** before we carry this out to public hearing and give the staff time to review this document and fill in some of the gaps that were found in it.

CHAIRMAN TRAVELSTEAD: Pat Augustine seconds the motion. Vince.

EXECUTIVE DIRECTOR O'SHEA: You might consider using the term "postpone" rather than "table". We've been down that slippery slope.

MR. CARPENTER: **So move to postpone.**

CHAIRMAN TRAVELSTEAD: A.C. agrees to postpone; I think that is accepted by Pat. All right, Michelle.

DISCUSSION OF DRAFT ADDENDUM III ACTION

DR. DUVAL: Mr. Chairman, I also would support this motion. I have some of the same concerns that have already been expressed around the table by others, Jim Gilmore and Pat Augustine, regarding the timing. I would much prefer to send something out to the public that has the most accurate and updated information from the technical committee and the stock assessment subcommittee, particularly if it's going to be available in mid-September.

I did also have some comments on some of the options that are contained in the draft addendum specifically with regard to the Albemarle/Roanoke

stocks since some of those options are very specific to it. I don't know if this is the appropriate time to make those comments or if you prefer that I hold those.

CHAIRMAN TRAVELSTEAD: No, go ahead.

DR. DUVAL: Just really quickly, I think I noted at the previous meeting when the motion was made to move forward with this addendum that I was concerned about the impact that this might have on North Carolina's process. As you know and it's stated in the addendum, the Albemarle/Roanoke stock is managed separately as a non-coastal stock.

We have our own fishery management plan for that stock. We are currently at the tail end of the process developing Amendment 1 to the Albemarle/Roanoke stock. This board does have to approve any changes in management. We are not proposing any changes in management. We completed a stock assessment last year that indicated the stock is not overfished and it's not overfishing.

Our target fishing mortality rate has always been below the ASMFC mandated target of 0.27. Our target has been 0.22. We are below that. I think the terminal year of the assessment indicates an F of 0.1. We manage this as a bycatch fishery only with daily trip limits of 7 to 15 fish. There is daily quota monitoring for this fishery. I think one thing that is important to note is that there is very little contribution of the stock to the coastal migratory stock over the past ten years or so. The tag returns that we receive from outside the Albemarle Sound/Roanoke River management area amount to less than 1 percent.

Also, neither the landings nor the JAI are incorporated into the coast-wide assessment. Someone earlier made a comment about JAIs. Ours is up; it's above the average for this year. Things are looking great. I just make these remarks just to give you all some more information because of the specificity of some of the different options that are in the draft addendum.

North Carolina would not be supportive of any changes that might result from this addendum to our management program for the Albemarle/Roanoke stock, so I just wanted to give folks that information. Thank you, Mr. Chairman.

MR. FOTE: When I started reading the document, I was interested in some of the letters that were sent out. When we start talking about spawning area regulations and things like that, New Jersey has

always opposed taking spawning areas out of the Amendment 6 and somehow we missed it.

When we went out to the jet plane out of Rhode Island many years ago, all of a sudden I found that we basically lost our spawning area status. New Jersey and Delaware and Pennsylvania have kept that spawning area closures in the Delaware River. I have no problem going back to those spawning areas and include them in the document and actually put them back where they're supposed to be.

I'm supporting this motion mainly for the reason that after the last 20 years or 21 years, I've gone out where a bunch of striped bass – I mean, just thinking of the last two years we have been going out to the public twice saying we should increase the commercial fishery and then we basically come back and now we're saying we should reduce the whole fishery; I'm getting whiplash here.

I mean, we have to basically tell the public what has actually been happening with a stock assessment. I don't know if this update stock assessment will give us that much detail or do we need to wait for 2013 to basically come from a real assessment or basically do the review of the total stock assessment.

One year you made me back – I think it was 2001 or somewhere back there. I can't remember dates as well as I used to – where you made me change all my regulations to include this 24- to 28-inch slot limit and the 28 inch and above because you wanted to protect the big fish and everything else. My fishermen actually loved that situation for a while.

We were protecting big fish because actually this year in the Raritan Bay, if we had that regulation in place, it would have been a one-fish bag limit because people were just catching them, they were fishing big baits and had a lot of bulk in them, and maybe that's the other problem. We have a lot bulk in New Jersey in the Delaware River so we're getting a lot of good fish. We basically have had a lower catch of fish this year.

I know when I go out to a document, I mean, I complain about the lack of stock assessments, when we go out on black sea bass and basically restrict further restrictions on that and scup and other species, so I can't support a document going out unless we have a good stock assessment to go there. And, thank God, we have the right information on striped bass that we can look at the models over the year because of all the stocks we have, we have the best information on striped bass; and if those targets

haven't been reached, I really need to feel comfortable and say we need to do a reduction by 40 percent. Thank you.

CHAIRMAN TRAVELSTEAD: Wilson, on the upcoming stock assessment, can you at all comment on what you think might come out of that? I don't want you to guess, what is your informed opinion of that?

DR. LANEY: I do not have an opinion at this point in time, Mr. Chairman. There are things I know I cannot reveal. I would say we'll just have to wait and see. I, as everyone else, very eagerly awaiting the result of the update. There are some positive signals. There are several people I have alluded to out here at least in some of the juvenile abundance indices. Those are looking up for both the Chesapeake Bay and for North Carolina this year. I guess the bottom line is I'm not a liberty to comment yet.

CHAIRMAN TRAVELSTEAD: I appreciate that. Mark Gibson.

MR. MARK GIBSON: Mr. Chairman, I'm actually sympathetic to both motions, the substitute and the one before it, the first one on a precautionary basis and this one on an informational basis. I would suggest that by November we're probably not going to have a awful lot more to work from because if I understand it this is just going to be a turn-of-the-crank model.

If the technical committee isn't allowed explore changes in the natural mortality rate consistent with the Gauthier and others reports, changes in sex ratio or, you know, two sex models, or all of the changes in migratory pathways and things, results out of an M 0.15 model, most people are not going to believe them.

They're going to think they're wrong because there is evidence for a change in natural mortality. I'm skeptical that we're going to have much more of an information basis come November, so I'm struggling to decide what to do on this. I would like to hear some comments on that from the technical committee chair.

DR. LANEY: Well, Mark, I think all of the things that you mentioned are going to be addressed in the benchmark. They just didn't have enough time to work any of those things into the updated assessment and it wouldn't be appropriate for us to do so because it's just a turn-of-the-crank assessment. Those will be coming down the road and we will have all of that

additional information; but given the motion and the timing of the need to develop this addendum, we just couldn't address those issues.

CHAIRMAN TRAVELSTEAD: Wilson, what would be the earliest that we would know the results of the assessment?

DR. LANEY: Mid-September is my understanding.

CHAIRMAN TRAVELSTEAD: And by that point we would be through the public hearing process if this goes forward but well before the November meeting?

MS. TAYLOR: We could have the public comment period end around the same time that the stock assessment update was completed if that was what the board chose to do and the states were accommodating with that. This would allow the public comment and the stock assessment update to be incorporated into the management options contained in the addendum.

CHAIRMAN TRAVELSTEAD: But there is no way to get the results of the stock assessment in mid-September and then go to public hearing in October? Bob, do you want to comment on that?

MR. ROBERT E. BEAL: The hearings can be held whenever the board wants between now and the November meeting. Really, for an addendum all we have to have is a 30-day window for public comment. If the board wanted to do the public hearings early in October, that would give some time for the public to start digesting the results of the assessment.

It would also give some time following the public comment period for the comments to be compiled and synthesized and forwarded to the board at the annual meeting. The downside to that is the plan development team won't have much opportunity to react to the public comments as far as crafting regulations for the board to consider at the annual meeting.

It depends if you want the public to consider the stock assessment information during the hearings or if you want to have the hearings in time for the plan development team to be able to sort of digest the comments from the public and the assessment results and come back with a suite of options that appear to react to the assessment results.

CHAIRMAN TRAVELSTEAD: The hangup that I'm hearing from some of the board members is we don't want to go out to public hearing with the

document because we don't know what the stock assessment is going to say. I would ask is there a way to get – and it sounds like there is – to get the results of the stock assessment, add them to this document, go out to public hearing in October? That way the board and the public will know what is in the stock assessment and be able to comment more intelligently on the options that are contained here. Are you telling me that timeline is possible?

MS. TAYLOR: It would be possible to include the results of the stock assessment in the draft addendum; however, that may not give enough time for the PDT and the technical committee to draft specific management options based on the preferred alternatives of the board. After receiving the assessment update, that would give them about two weeks, maybe, and so I'm just not sure if that would be a realistic timeframe for them to develop adequate management options to send out to public comment.

CHAIRMAN TRAVELSTEAD: Well, keep that in mind as we move forward. Ritchie.

MR. G. RITCHIE WHITE: Mr. Chairman, I am not going to support the substitute motion. I've heard the cart before the horse. I think about getting the barn doors closed before all the horses are gone. I know Paul talked about the canary in the coalmine at the last meeting. I can report the fishing in New Hampshire this year, we're having a great year on fish but there are no small fish, none. All the fish we're catching are keepers. We're catching all kinds of big fish but there are no small ones. I just see the trend continuing and getting worse.

I share the concern about bringing this out before we have the latest science. I think Jack's idea is how we ought to go forward. Even though it does limit the PDT, I think that's the best bet. I'm concerned about waiting another year because that's basically what this would do. If we put this off, that means the regulations would not go in for another year. Thank you.

MR. GILMORE: Ritchie, I've been hearing the exact opposite. We have all small fish and they're not seeing big fish. That's some of the problem with the hearsay data. I'm in support of the substitute motion, but I have actually a question for you, Jack, on the document you sent out on the timing.

Essentially if we went past the November meeting and we didn't do final action until February, it said likely implementation in 2013, and that's the thing I have a question on that. If we voted on regulations at

the February 2012 meeting, in New York we could put our regulations in within 30 days if we had to. I'm not sure of the other states, what the situation is, but it seems like that said we add whole other year on, and I don't know if that's completely accurate or not. If that's true for the coast, that might be a different issue, but can the other states get regulations in quicker; and then waiting until February 2012, we don't lose really much of anything. Thank you.

CHAIRMAN TRAVELSTEAD: I think every state is different in the timeframe that they have to go through. I know some take longer than others. Virginia can act very quickly as well. If timing is an issue, let us know around the table. Jaime.

DR. GEIGER: Mr. Chairman, I appreciate your comments, but on the other hand I support the substitute motion. I think we owe the general public to have the best available science and best available stock assessment to consider in this. Quite frankly, I think some of the options that are currently in the addendum will change as a result of the stock assessment.

If so, let's at least give them the most accurate information that we can. I recall very well that at several previous board meetings, at least several years ago the general public questioned our science and it took us several years to recover from the perception that our science was not good, it wasn't accurate and it was not time-based.

I would hate for us to get in that situation again, Mr. Chairman. I still think we have time to and again freeing up the necessary time for both the technical committee and the PDT to get us the best available document with the stock assessment factored in to address some of these additional questions that the public are bound to ask us. Thank you, Mr. Chairman.

EXECUTIVE DIRECTOR O'SHEA: Mr. Chairman, on the timing issue, while it's true some states have proclamation authority and can move in 30 days, I think our track record is to defer to the slowest state. I think Amendment 6, for example, took us almost 18 months to implement.

MR. ROY MILLER: Although I don't have access to Wave 1 MRFSS data concerning striped bass harvest off of, say, coastal North Carolina and coastal Virginia, there are concerns in my region from recreational fishermen that that harvest may be excessive. If the plan development team has access to Wave 1 data, that would be nice to know.

Maybe we'll hear more this week with the MRIP update. Anyway, there is that nagging concern that there is a potential for large harvests of mature females in that coastal North Carolina and Virginia fishery. Of course, that begs the question is whether the harvest of large females elsewhere like Massachusetts is equally problematic. But, anyway, my point is nothing we do I suspect this fall will have any impact on that January/February fishery off of North Carolina.

There simply probably isn't time to take action for 2012 so it would be 2013 before any action could be taken if any appears to be warranted. I would urge the plan development team to gather whatever information they can about that Wave 1 fishery and also maybe begin to think about a slot limit that would provide some additional protection to the mature females on the overwintering grounds. Thank you.

CHAIRMAN TRAVELSTEAD: Any comment on that, Kate?

MS. TAYLOR: That is information that we can get and include in the draft addendum.

DR. LANEY: And, Roy, to that point, that was the reason that we put in that option about the wintering grounds. We took Paul's motion literally when he said when the stock is concentrated and vulnerable, take a look at potential means for reducing mortality, so that's why we put that one in there.

MR. GROUT: Mr. Chairman, I made my original motion to move forward because we were looking at just the potential that there might be some action that needed to be taken when we get the stock assessment report in November. I thought this was a creative way that Commissioner Diodati had put forward that we would come up with an addendum that had a wide variety of options in it as far as how much of a reduction we would take – we have a variety of options there – and we'd have it in place or the public hearings have taken place so that we could take action in concert with getting that report from the stock assessment.

Now, if the stock assessment says we're not overfishing and we're not overfished, the clear action that we would take in approving this addendum would be status quo; but if the stock assessment says that we're overfishing by a certain percentage, then we'd have those tools and mechanisms ready to get

something in place for at least starting to move forward with it in 2012.

Now, New Hampshire is one of those states that we can move very quickly with this; but from past experience with Amendment 6, it did take a while for some states to get that in place. So even if we were to approve something in November, it would probably be midseason for a lot of states before they – for some states before you can get in.

I thought this was a good plan to be proactive given that we weren't going to have the stock assessment results until November. I hope people will vote against this to delay because I think if we do need to do something, then we need to move as quickly as possible on this species, which is really ASMFC's sentinel species. This is why we've got the Atlantic Coastal Act was because of what we did with striped bass. We need to react quickly with this species. If there isn't, then we go status quo.

MR. O'CONNELL: I'm planning to support this motion. I did support the motion to proceed in this manner at our last meeting, but as the discussion with my constituents have developed over the months, this is causing a tremendous amount of controversy and not knowing what level of reduction they may be looking at.

We've got recreational guys asking to hold the recreational fishery harmless, to shut down our gill net fishery. We really need that detail. I guess my one question, Jack – and I appreciate you trying to sequence these things better, but if we did go down the path that you suggested where we would hold off the public hearings until the stock assessment was available in October – at least the hearings would be in October – would there be a checkpoint with the board to determine whether or not we would still want to proceed given the stock assessment results?

One scenario would be if the stock assessment showed that we weren't overfishing and overfished, would the board still want to invest the staff resources of ASMFC and our own staff to go out and have this public discussion. I would say at the minimum we would want to touch base with the board at that point in time. Thanks.

CHAIRMAN TRAVELSTEAD: Well, that's what I had in mind that there would be some checkpoint, but let's ask Kate and Wilson to respond to that; can there be a checkpoint mid-September?

MS. TAYLOR: Once the assessment is completed and reviewed by the technical committee, it could be sent out to the management board with the current stock status from the assessment.

CHAIRMAN TRAVELSTEAD: And then at that point could the board say go forward with the hearings or don't go forward? Bob.

MR. BEAL: Jack, in the past the boards have done fax polls and other ways of voting in between meetings, which is a tool that the board could use. I think the board should set up some sort of voting process because there may not be a consensus whether you should or shouldn't go forward. It's probably a majority type rules. There are vehicles that we can use, definitely.

CHAIRMAN TRAVELSTEAD: Okay, keep that in mind. Tom, did you have any followup?

MR. O'CONNELL: Yes, just to follow up, I'm just getting the impression based upon our discussion today and past discussions that even if the stock assessment shows no warning signs, there are still going to be states that are going to want to take action. It seems to be more a discussion about reference points, whether or not we're going to stick behind them or look at changing the reference points and try to improve the biomass to enjoy the fisheries we had several years ago. I think that's just going to be very difficult for the board to have this conversation via a fax poll or a conference call. Thanks.

MR. PLACE: I was asked by several members of the advisory panel to reiterate a point I made during our conference call. Usually I wouldn't do this because I just reflect other people on the panel's opinions and leave my own out of it, and I haven't even been voting. A point of history that might be germane right now, you might recall that circa 1999 the board was charged with achieving a 14 percent reduction in mortality of fish eight and older.

I believe it was well over a year, maybe even two, we spent a lot of time and money to figure out how to get that 14 percent reduction in eight and older fish. The two states that had most of that mortality I believe were Massachusetts and New York, and they were exempt from that because of other proactive things they had done.

A long story short, by the time we finally came up with the measures for that fishery up and down the coast, the recalculation of the virtual population analysis, which was the model I think we had just

started using at the time – and, of course, we aren't using that now; we're using statistical catch at age – when that was recalculated, we came to realize that the most recent number from the VPA – but it's the same thing, it seems like, with the statistical catch at age – is the least accurate number yet that's the number that we base our triggers and our actions on.

So, I'm not advocating that lesson dictate what we do now; but because that was in the go-go nineties when comparatively speaking our budget was flush compared to what we have right now, I bring that up because were we to jump quickly and maybe not have the specificity and the rationale in stone to justify whatever action the board takes, it might look pretty bad to use a lot of money in these scarce times.

Now, that's by no means intended to diminish the people that feel that we need to take conservation, risk-averse, proactive action now, but I did want to bring that hard lesson that we learned 13 or 14 years ago before we jump without having some sort of specificity. Thank you.

CHAIRMAN TRAVELSTEAD: We've got five more folks on the list to speak and we're approaching that six o'clock hour where I know some of you are going to have to leave, so keep that in mind. Terry.

MR. TERRY STOCKWELL: It's probably not a big surprise to everyone around the table that I'm opposed to the motion to substitute. The end result would most likely mean that nothing proactive would happen until at least 2013. Maine's perception is this is one more year of no small fish; just a handful of larger fish; and our charterboats have no options.

They're concerned that they're fishing on the principal of account. I agree with Kelly's statement about let's start the process and adjust as necessary. Failure to act from the state of Maine's perspective is economically crippling. I've got concerns about the implications of really the commission process.

Former Commissioner Lapointe submitted a letter which ticked us all off a couple of years ago. Based on lack of science, the most credible thing to do was to move forward with something proactive. I would be in support of delaying the public hearings until after receipt of the update and turn the crank and see if the answer is things are good across the board, we're still going to say they're lousy because we don't have access to the resource.

MR. LEROY YOUNG: My main concern is with the timing. At least in Pennsylvania we could not

implement anything until 2013 unless we took emergency action. As Russ Allen just mentioned, things are looking great in the Delaware. I understand there are issues in the northern part of the range, but we tag striped bass every year; and of 628 returns throughout the history of our tagging efforts, none have ever been returned from Maine or New Hampshire.

It's hard to tell what form the management action would take, what option, but if it would affect Pennsylvania, we'd have some concerns with that. In 2009, through action of the board, we're permitted to open a slot limit fishery in April and May in the Delaware Estuary; and then if we have to take emergency action to reduce that, it's of concern to us.

MR. CARPENTER: Mr. Chairman, I'd like to speak against the idea that has been going around the table about trying to have a fax poll or a telephone conference call. I would feel much more comfortable voting this motion either up or down. I'm at the point that about the only thing in the stock assessment report that I can see that could justify any kind of interim action between now and November would be at least one of the management triggers having been tripped as the result of the stock assessment. With that in mind, I'd like to call the question given the hour and the debate that we've had around the table.

CHAIRMAN TRAVELSTEAD: I've got two more folks on the list and we really should go to the public, I think, one last time, but we're very close, A.C. Michelle.

DR. DUVAL: Mr. Chairman, I just really wanted to quickly address Roy's comments in terms of the winter fishery off North Carolina. We've been collecting Wave 1 information since 2004 and we actually go above and beyond what the MRFSS/MRIP requirements are for that. That's contained in the FMP update from 2010 if folks are interested in those numbers.

Second, in terms of being able to react quickly, we are one of those states that have the ability to do that. We have proclamation authority. We can react within 48 hours as I think was demonstrated by the actions that we took earlier this winter. Thank you.

MR. FOTE: My questions more have to do with if you have the disease in Chesapeake Bay and that's causing the problem, where do you start restricting the catch of the striped bass and basically rebuilding the larger spawning stock; is it really going to make

any difference in the Chesapeake Bay as long as you don't control the disease.

What I understand part of the disease problem is the lack of forage species, so isn't really what we're supposed to be looking at. Also, when I look up in New Hampshire and Maine, when they had a lot of river herring up the rivers, you had a lot more striped bass up the river, but when you started using a small-mesh fishery to start basically hitting – yes, the ocean herring and basically bycatch in shad and river herring and clearly striped bass in those fisheries could be part of the problem. Thank you.

MR. DIODATI: You know, this motion was made – I mean, it's obvious that we haven't hit the management triggers. We're not overfishing the stock. That's not why the motion was made. The motion was made because our total recreational catch has dropped by 75 percent over the past five years.

I never thought that our recreational catch could be reduced by that amount and we wouldn't hit a management target of some sort. It seems to me that something is wrong with the targets. Now, we have plenty of older fish in Massachusetts. That's not the problem. In fact, fish that are 28 inches and above are plentiful. Take a look at our commercial quota, we're landing that quota very handily right now.

As far as putting the cart before the horse, I'd be surprised if this commission ever got that reputation, but it wouldn't be the worse thing. As far as spending money on managing striped bass, every dollar we can spend on striped bass is well spent as far as I'm concerned. I have no problems with putting the cart before the horse. I have no problems with spending money to research this issue and better manage this fishery.

I certainly understand the problems we have with timing. I don't think the turn-of-the-crank assessment is going to be very helpful, and we seem to be talking about delaying with this substitute motion the timing of this addendum in order to match up the turn of the crank, and I really don't think that's going to provide the information that we really need to be intelligent about this. What we need is the full turn-of-the-crank assessment.

I'm not sure what is preventing us from getting that sooner. We haven't talked about that. But, if it's a matter of instructing the technical committee and the stock assessment subcommittee to move up their schedule to do the turn of the crank, I'm all for that. I'm not sure what else is preventing us from getting a

full turn of the crank before 2013. I'd like to hear a response to that, Mr. Chairman.

CHAIRMAN TRAVELSTEAD: Wilson, can you comment on that; when is the full new assessment due?

DR. LANEY: It's scheduled to begin in 2012 and be peer reviewed in early 2013, I believe. I'd have to look but I think the current schedule calls for that to happen in 2013, so we would have a peer-reviewed new benchmark assessment in early 2013, I think.

CHAIRMAN TRAVELSTEAD: Do you want to comment on that, Paul?

MR. DIODATI: Yes, what is holding us back from accelerating that schedule?

DR. LANEY: Well, the short answer is we had to put a lot of energy into Addendum III, for starters, but I think the ultimate answer is the SAW/SARC review schedule is sort of what determined when we put that into the schedule. Honestly, I don't recall, it has been a while since we had that discussion.

CHAIRMAN TRAVELSTEAD: Okay, are there members of the public that want to be heard on this issue? Arnold.

MR. ARNOLD LEO: Arnold Leo; I'm here on behalf of the East Hampton Baymen's Association. The very brief comment that I want to make is as a taxpayer, it seems to me that if the stock assessment shows that we don't have to take any action, that we're wasting a lot of my taxpayer money to conduct public hearings and go through the whole process when there is no need to do it. It seems to me that we should just support this motion that's up and postpone it until we know what the stock assessment is going to show. Thanks.

MR. PATRICK PAQUETTE: Mr. Chairman, Patrick Paquette, Massachusetts Striped Bass Association, Massachusetts Beach Buggy Association, the New England Chapter of the Recreational Fishing Alliance and 14 other recreational organizations that range from 20 years to 60 years old.

The mainstream – when you throw out the really extreme right and left-hand opinions at least in New England and in the organized recreational fishing community, the mainstream believes that we've already got enough information and that there is something to do. But at the same time I have absolutely agree with the board that having the turn-

of-the-crank data when you go out to public comment would be extremely helpful in what is going to be very difficult and controversial hearings.

But that being said, the other side of your debate, pushing this thing off into 2013, many of the organized recreational clubs in New England and I know of at least one Mid-Atlantic state have before their legislators telling them to wait because action was developing here. Coming into an election cycle, as nasty as things are in fisheries right now, our organization has been working really hard to prevent, assist, however you want to say it without aggravating legislators in our state, to not take action to intervene with fisheries management because this is where it should be with fisheries management.

I don't always like what you do, but I believe this is where at least the best people to do it is. If we hit a trigger, the debate shouldn't be about whether we hit the triggers. If we hit the triggers, the hearings are going to be in congress; they're not going to be here. Make no mistake about it, striped bass is that important and I think you guys know that. Precautionary measures are appropriate.

The process you have to really fight out, because I'm sitting in the back of the room and I don't hear it, this should continue moving but slow down enough so that you can insert data from this turn of the crank. You can't wait for the benchmark unless you can make the benchmark happen this year. The public is just not going have it, and I think you all know that.

I just wanted to make sure that gets resounded. As controversial as this is going to be, these hearings, and the wide variety of opinions, the public is expecting some action soon because our most important fish is clearly showing something and just doing nothing isn't going to wash right now. I would just urge you that – you know, the smart call is to get the turn-of-the-crank data in here, so figure a way to do it.

Whether that means the board has to meet and we spend that money, then do that. I guarantee you're not going to get grief from the public over that one because where we are up and down the coast just ponyed into our pockets to pay for our data collection, we're going to be ripping that apart either way as MRIP transitions from MRFSS.

We need some action relatively soon because the patience is really gone; and even the mainstream is just – you know, we thought it was a good move that you made last year and people are like literally all over the internet waiting for this. Read the

newspapers on the front page of at least 11 major cities on the east coast yesterday. You're going to a wise, moderate solution right now or moderate move like just keep that going.

MR. PAT O'BRIEN: I won't be redundant. I think the spirit behind this amendment, I think it was great. I admire Massachusetts for putting it forward. If that wouldn't have happened, we would have probably been 2016 debating this. I do think we're a year too soon. I'm going to speak for the fishermen now, and the fishermen are the charterboat captains – naturally I put them first – the recreational fishermen and the commercial fishermen that would have to sit through hearings this fall, where everybody knows that the information on the stock assessment has not yet been presented and evaluated; there would be a credibility problem with the fishermen.

We're sort of down below all this, but I can just see these hearings where we have to then look at triggers prematurely. The recreational people want to make points against the commercial and vice versa, and believe me that room will be packed. I just think it's one year too soon, but it's a good concept. Thank you very much.

CHAIRMAN TRAVELSTEAD: Okay, the debate is over, folks, and it's time to vote. We'll take a couple of minutes to caucus and then we'll come back.

(Whereupon, a caucus was held.)

CHAIRMAN TRAVELSTEAD: Okay, are we ready to vote? There has been a request for a roll call vote, so we'll do it by roll call. Okay, here is the motion that we'll be voting on: move to substitute to postpone this issue until the November meeting when the board will receive the stock assessment.

MS. TAYLOR: Maine.

MAINE: No.

MS. TAYLOR: New Hampshire.

NEW HAMPSHIRE: No.

MS. TAYLOR: Massachusetts.

MASSACHUSETTS: Yes.

MS. TAYLOR: Rhode Island.

RHODE ISLAND: Yes.

MS. TAYLOR: Connecticut.

CONNECTICUT: Yes.

MS. TAYLOR: New York.

NEW YORK: Yes.

MS. TAYLOR: New Jersey.

NEW JERSEY: Yes.

MS. TAYLOR: Pennsylvania.

PENNSYLVANIA: Yes.

MS. TAYLOR: Delaware.

DELAWARE: Yes.

MS. TAYLOR: Maryland.

MARYLAND: Yes.

MS. TAYLOR: D.C.

DISTRICT OF COLUMBIA: Yes.

MS. TAYLOR: PRFC.

POTOMAC RIVER FISHERIES COMMISSION:
Yes.

MS. TAYLOR: Virginia.

VIRGINIA: Yes.

MS. TAYLOR: North Carolina.

NORTH CAROLINA: Yes.

MS. TAYLOR: Fish and Wildlife Service.

U.S. FISH AND WILDLIFE SERVICE: Yes.

MS. TAYLOR: National Marine Fisheries Service.

NATIONAL MARINE FISHERIES SERVICE: Yes.

CHAIRMAN TRAVELSTEAD: **Okay, the motion carries 14 to 2 with no abstentions. Okay, that was a motion to substitute so we now need to vote again.** This becomes the main motion. Can we do that by show of hands? Those in favor of the motion please raise your right hand; opposed same sign; any abstentions; any null votes. **The motion carries 14 to 2.**

Okay, staff has a question of whether you want to receive in November this exact same document for your consideration having had the stock assessment information in hand at that point or do you want to see other changes to it at the November meeting? A.C.

MR. CARPENTER: I'd suggest that the staff would have the stock assessment information available and would update this document incorporating those changes and the model runs or whatever else they have done with it and be prepared to essentially present the same document again updated at the November meeting. That was the intention of my motion.

CHAIRMAN TRAVELSTEAD: I would note that during the discussion today there were a number of suggestions by several members for changes in the document; for example, updating the bibliography. I think you had mentioned that. I would suggest that staff go back through that discussion and –

MR. CARPENTER: Yes, the size limit was one that it had minimum and they wanted that changed to just size limits so that they could go on either side of it. Those kinds of things I think the staff could feel free to incorporate.

CHAIRMAN TRAVELSTEAD: Anything further with the document? Jaime.

DR. GEIGER: Mr. Chairman, certainly I think those are what I'd call due diligence issues in terms of cleaning up the current addendum, whatever, but I do think there may be some value that once this board does see that stock assessment and we do see it, there may be some value to at least if not have a telephone conference call or something to see if indeed we want to go with those same addendums based upon the turn-of-the-crank assessment.

Again, I'm reluctant to put anymore work on an overly taxed staff right now, anymore than necessary, but at the same time we have a credibility issue that we want to make sure that are these the right addendums after we get the results of the assessment. Thank you.

EXECUTIVE DIRECTOR O'SHEA: Mr. Chairman, I share Dr. Geiger's goal. Maybe one to the things the board might want to think about, Mr. Chairman, is rather than just strictly bring this document, if there are certain things that seem appropriate as a potential response to what the stock assessment update says,

maybe you might want to consider tasking us with trying to incorporate that and doing that by working with the chairman to perhaps simplify that process.

I wouldn't want to see you show up in November with some clear obvious things that you didn't know about today and we haven't even given you some things to think about. I think how we could serve you the best is give you some options that respond to what you're going to hear from the technical committee so that you can pick and choose from them in November rather than start tasking us in November to write something.

CHAIRMAN TRAVELSTEAD: That makes sense to me. I see heads nodding so I think that would be good, Vince, thank you. Tom.

MR. FOTE: We always basically sit down after a technical committee report like that before we come in. The commissioners from New Jersey get briefed by the technical committee and the staff at the Division of Fish and Wildlife before we basically go forward. Before we came, we had a meeting a week ago on this upcoming meeting.

My concern here is that making assumptions when I basically would have questions when we look at the stock assessment. I have questions on where the assumptions were made. I've listened to enough stock assessment reports when it goes, but I always have questions and find out the way things operated in there with the determination and how you used them and where it went before I would make any reduction.

I would be very hesitant to do anything besides sitting down and looking at the document, going through the document and making sure of the results and questioning where the results come from as we should with every stock assessment and then prepare an addendum.

OTHER BUSINESS

CHAIRMAN TRAVELSTEAD: Well, the motion that just passed brings it back to us in November so we can't avoid that. Is there anything further to come before the board? Jaime.

DR. GEIGER: Mr. Chairman, I know we're probably going to meet in November but I would request that if we can have an update from the law enforcement committee on some of the activities going on in terms of law enforcement activities related to the striped bass fishery, I certainly would

appreciate an update of current status and what other activities may be going on as well as we debate striped bass management in November.

ADJOURNMENT

CHAIRMAN TRAVELSTEAD: Jaime, that's already planned for the November meeting. Tom.

MR. FOTE: Motion to adjourn.

CHAIRMAN TRAVELSTEAD: Thank you; is there a second? We're adjourned.

(Whereupon, the meeting was adjourned at 6:20 o'clock p.m., August 1, 2011.)