

Atlantic States Marine Fisheries Commission

Atlantic Striped Bass Management Board

February 4, 2016
8:00 – 9:00 a.m.
Alexandria, Virginia

Agenda

The times listed are approximate; the order in which these items will be taken is subject to change; other items may be added as necessary.

1. Welcome/Call to Order (*J. Gilmore*) 8:00 a.m.
2. Board Consent 8:00 a.m.
 - Approval of Agenda
 - Approval of Proceedings from November 2015
3. Public Comment 8:05 a.m.
4. Consider Tabled Motions from November 2015 (*J. Gilmore*) **Action** 8:15 a.m.
 - *Move to initiate an Addendum to reconsider management options in the Chesapeake Bay from Addendum IV for 2016 based on the stock assessment update in 2015 and retrospective projections. Motion made by Mr. Luisi and second by Mr. O'Reilly. Motion tabled until February 2016.*
 - *Move to amend to remove the words "in the Chesapeake Bay." Motion made by Mr. Clark and seconded by Mr. Augustine. Motion tabled until February 2016.*
5. Consider Conservation Equivalent Management Proposals from Maryland and Potomac River Fisheries Commission (*M. Luisi/M. Gary*) **Action** 8:25 a.m.
 - Technical Committee Report (*M. Appelman*)
 - Law Enforcement Committee Report (*M. Robson*)
6. Update on 2016 Cooperative Winter Tagging Program (*W. Laney*) 8:40 a.m.
7. Elect Vice-Chair (*J. Gilmore*) **Action** 8:50 a.m.
8. Other Business/Adjourn 9:00 a.m.

The meeting will be held at the Westin Alexandria; 400 Courthouse Square, Alexandria, VA; 703.253.8600

MEETING OVERVIEW

Atlantic Striped Bass Management Board Meeting
Thursday, February 4, 2015
8:00 – 9:00 a.m.
Alexandria, Virginia

Chair: Jim Gilmore (NY) Assumed Chairmanship: 02/15	Technical Committee Chair: Nicole Lengyel (RI)	Law Enforcement Committee Rep: Kurt Blanchard (RI)
Vice Chair: Vacant	Advisory Panel Chair: Kelly Place (VA)	Previous Board Meeting: November 4, 2015
Voting Members: ME, NH, MA, RI, CT, NY, NJ, PA, DE, MD, DC, PRFC, VA, NC, NMFS, USFWS (16 votes)		

2. Board Consent

- Approval of Agenda
- Approval of Proceedings from November 2015

3. Public Comment – At the beginning of the meeting, public comment will be taken on items not on the agenda. Individuals that wish to speak at this time must sign-in at the beginning of the meeting. For agenda items that have already gone out for public hearing and/or have had a public comment period that has closed, the Board Chair may determine that additional public comment will not provide additional information. In this circumstance, the Chair will not allow additional public comment on an issue. For agenda items that the public has not had a chance to provide input, the Board Chair may allow limited opportunity for comment. The Board Chair has the discretion to limit the number of speakers and/or the length of each comment.

4. Consider Tabled Motions from November 2015 (8:15 – 8:25 a.m.) Action
<p>Background</p> <ul style="list-style-type: none"> • <i>Move to initiate an Addendum to reconsider management options in the Chesapeake Bay from Addendum IV for 2016 based on the stock assessment update in 2015 and retrospective projections. Motion made by Mr. Luisi and second by Mr. O'Reilly. Motion tabled until February 2016.</i> • <i>Move to amend to remove the words "in the Chesapeake Bay." Motion made by Mr. Clark and seconded by Mr. Augustine. Motion tabled until February 2016.</i> • These motions were made based on stakeholder comment expressing economic hardships following implementation of Addendum IV regulations, and results of the 2015 stock status update which indicated a slightly more favorable stock status compared to the 2013 benchmark assessment.
<p>Presentations</p> <ul style="list-style-type: none"> • Review of November 2015 motions by M. Appelman
<p>Board Actions for Consideration</p> <ul style="list-style-type: none"> • Consider tabled motions.

5. Consider Conservation Equivalent Management Proposals from Maryland and Potomac River Fisheries Commission (8:25 – 8:40 a.m.) Action

Background

- Maryland and the Potomac River Fisheries Commission (PRFC) submitted conservation equivalent management proposals for Addendum IV to Amendment 6 for their 2016 recreational fisheries (**Briefing Materials**).
- The Technical Committee and Law Enforcement Committee reviewed the proposals to formulate recommendations to the Board (**Briefing Materials**).

Presentations

- Review of Management Proposals and Technical Committee Report by M. Appelman
- Law Enforcement Committee Report by M. Robson

Board Actions for Consideration

- Consider approval of Maryland’s and the PRFC’s conservation equivalent management proposals for 2016.

6. Update on 2016 Cooperative Winter Tagging Program (8:40 – 8:50 a.m.)

Background

- The trawl portion of the Cooperative Winter Tagging Program took place in January.
- The hook and line portion has been postponed due to weather and is tentatively scheduled for late January through early- to mid-February.

Presentations

- Review of the 2016 Cooperative Winter Tagging Program by W. Laney

7. Elect Vice Chair (8:50 a.m.) Action

Background

- The Vice Chair seat for the Atlantic Striped Bass Board is currently vacant.

Board actions for consideration at this meeting

- Elect Vice Chair

8. Other Business/Adjourn

DRAFT

DRAFT

DRAFT

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

**World Golf Village Renaissance
St. Augustine, Florida
November 4, 2015**

**These minutes are draft and subject to approval by the Atlantic Striped Bass Management Board.
The Board will review the minutes during its next meeting.**

Draft Proceedings of the Atlantic Striped Bass Management Board Meeting November 2015

TABLE OF CONTENTS

Call to Order, Chairman Douglas E. Grout 1

Approval of Agenda 1

Approval of Proceedings, August 2015 1

Public Comment..... 1

2015 Stock Assessment Update 4

 Presentation of Stock Assessment Update 4

 Board Discussion of Stock Assessment Update..... 9

Discussion of Addendum IV 13

Technical Committee Report 23

Other Business 26

Adjournment..... 27

INDEX OF MOTIONS

1. **Approval of agenda** by consent (Page 1).
2. **Approval of proceedings of August 2015** by consent (Page 1).
3. (Main Motion) **Move to initiate an addendum to reconsider the reduction options in Addendum IV for the 2016 fishing season in the Chesapeake Bay based on the results of the 2015 assessment update and retrospective projections** (Page 13). Motion by Michael Luisi; second by Rob O'Reilly. Motion tabled.
4. (Motion to Amend): **Move to amend to remove the words "in the Chesapeake Bay"** (Page 15). Motion by John Clark; second by Pat Augustine. Motion tabled.
5. **Move to table the motion to amend until the February meeting** (Page 18). Motion by Dennis Abbott; second by Pat Keliher. Motion carried (Page 19)
6. **Motion to table the main motion** (Page 19). Motion by Dennis Abbott; second by Pat Keliher. Motion carried (Page 20).
7. **Motion to recommend the ISFMP Policy Board adjust the 2016 stock assessment schedule to include a striped bass update in 2016** (Page 21). Motion by Michael Luisi; second by Rob O'Reilly. Motion carried (Page 23).
8. **Move to adjourn** by consent (Page 27).

Draft Proceedings of the Atlantic Striped Bass Management Board Meeting November 2015

ATTENDANCE

Board Members

Pat Keliher, ME (AA)	Tom Fote, NJ (GA)
Terry Stockwell, ME, Administrative proxy	Adam Nowalsky, NJ, proxy for Asm. Andrzejczak (LA)
Sen. Brian Langley, ME (LA)	Leroy Young, PA, proxy for J. Arway (AA)
G. Ritchie White, NH (GA)	Tom Moore, PA, proxy for Rep. Vereb (LA)
Doug Grout, NH (AA)	Loren Lustig, PA (GA)
Dennis Abbott, NH, proxy for Sen. Watters (LA)	Roy Miller, DE (GA)
Jocelyn Cary, MA, proxy for Rep. Peake (LA)	David Saveikis, DE (AA)
Bill Adler, MA (GA)	John Clark, DE, Administrative proxy
David Pierce, MA (AA)	Craig Pugh, DE, proxy for Rep. Carson (LA)
Mark Gibson, RI, proxy for J. Coit (AA)	David Blazer, MD (AA)
David Borden, RI (GA)	Bill Goldsborough, MD (GA)
Eric Reid, RI, proxy for Sen. Sosnowski (LA)	John Bull, VA (AA)
Rep. Craig Miner, CT (LA)	Kyle Schick, VA, proxy for Sen. Stuart (LA)
David Simpson, CT (AA)	Rep. Bob Steinburg, NC (LA)
Lance Stewart, CT (GA)	Doug Brady, NC (GA)
James Gilmore, NY (AA)	Michelle Duval, NC, proxy for L. Daniel (AA)
Emerson Hasbrouck, NY (GA)	Martin Gary, PRFC
Pat Augustine, NY, proxy for Sen. Boyle (LA)	Mike Millard, USFWS
Russ Allen, NJ, proxy for D. Chanda (AA)	

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

Ex-Officio Members

Charlton Godwin, Technical Committee Chair	Kelly Place, Advisory Panel Chair
--	-----------------------------------

Staff

Robert Beal	Katie Drew
Toni Kerns	Max Appelman
Mike Waine	

Guests

Tom O'Connell, NOAA	Bob Ballou, RI DEM
Tom Sminkey, NOAA	Jack Travelstead, CCA
Derek Orner, NOAA	David Sikorski, CCA
Charles Lynch, NOAA	Aaron Kornbluth, PEW
Chris Wright, NOAA	Joseph Gordon, PEW
Dan McKiernan, MA DMF	Arnold Leo, E. Hampton, NY
Nicola Meserve, MA DMR	David Bush, NCFA
Mike Armstrong, MA DMF	Ed O'Brien, MCBA
Mike Luisi, MD DNR	Wilson Laney, USFWS
Lynn Fegley, MD DNR	Allan Brown, USFWS
Dave Goshorn, MD DNR	Jay Jacobs, House of Delegates, MD
Brandon Muffley, NJ DFW	Robert T. Brown, MD Watermens Assn
Jason McNamee, RI DEM	Victoria M. Brown, MD Watermens Assn

Draft Proceedings of the Atlantic Striped Bass Management Board Meeting November 2015

The Atlantic Striped Bass Management Board of the Atlantic States Marine Fisheries Commission convened in the St. Augustine Ballroom of the World Golf Village Renaissance, St. Augustine, Florida, November 4, 2015, and was called to order at 8:00 o'clock a.m. by Chairman Douglas E. Grout.

CALL TO ORDER

CHAIRMAN DOUGLAS E. GROUT: This is a meeting of the Striped Bass Management Board. My name is Doug Grout; I'm Chair for one more meeting. We have essentially two agenda items today. One is to get an update on the striped bass stock assessment update the technical committee and stock assessment committee did and potentially consider acceptance of the stock assessment for management use.

Also, there will be a technical committee report on a task that we assigned them at the last meeting; and that is comparing fishing mortality reference points using two different time periods for selectivity.

APPROVAL OF AGENDA

First of all, that is what is on our agenda. Are there any other items that people would like to add to the agenda or modifications to the agenda? Mike.

DR. MIKE MILLARD: Mr. Chairman, if it pleases the board, I would like to have Dr. Laney give us brief update on the winter tagging cruise.

CHAIRMAN GROUT: Okay, that is another agenda item that we have at every meeting, I think, and we will add a couple minutes for him. Any other changes? I'll see that as the agenda is approved.

APPROVAL OF PROCEEDINGS

CHAIRMAN GROUT: We also have within our meeting materials the proceedings from our August 2015 meeting. Are there any changes or adjustments or modifications to those?

Seeing none; is there any objection to approving those minutes? Okay, the proceedings have been approved.

PUBLIC COMMENT

CHAIRMAN GROUT: We also now have an opportunity for public comment on things that are not on the agenda; and I'll emphasize that to the public. We have three people that have signed up and the first one here is Jay Jacobs. We have about ten minutes allotted for this; if you could keep your – I have three people on the list here; so if you could keep your comments to about three minutes, thank you.

DELEGATE JAY A. JACOBS: Good morning, Mr. Chairman and board members. My name is Jay Jacobs. I'm a member of the Maryland House of Delegates, specifically on the Environment Committee. I'm also the Chair of the Commercial Watermen's Caucus for the Maryland General Assembly.

The reason I made the trip down here for this Atlantic States Marine Fisheries Meeting was to talk about some of the consequences of an action taken last year on the 20.5 percent reduction in the Maryland Fishery. Specifically to start with, for the commercial fishery, it was nearly a two million dollar revenue loss or hit from an economic standpoint.

There have been unintended consequences which happens sometimes when actions are taken that go much deeper. Specifically in Maryland, with the implementation of the 20.5 percent reduction and also the slot size that was implemented for the trophy season and the increase from 18 to 20 inches in the fishery, we've had huge economic impacts in those other industries, in the charterboat industry and the recreational side as a result of those.

The word gets out real quick with fishing parties and with charterboats when fishing is not good, just like it does when fishing is good. There have been many cancellations this year as a result of the catch. In many cases they would

Draft Proceedings of the Atlantic Striped Bass Management Board Meeting November 2015

catch fifty fish and only have two that were legal to keep. When you throw that many fish back, there is an abnormally high mortality rate, which I think has been underestimated in some of these reports that I've seen.

I am quite concerned, as you can see. The industry in Maryland voted for a 7/7/7 plan. They wanted to reduce it 7 percent a year. The agreement was 20.5. I put a piece of legislation in last year that would give the licensees a 20.5 percent relief on their license fee; and I was informed by the bill drafter, the attorney for our committee, that I had to do a one-year sunset on that piece of legislation because this was a one-year addendum.

We don't know and we're about to approach the next season, which the commercial season begins January 1st. This is quite concerning to us in Maryland. It has had a huge economic impact. What I'm hearing from many, many charterboat captains now that I didn't hear last year is that the potential loss of business is going to be pretty substantial.

I'm asking the group to take a good look at this, consider this and understand that sometimes unintended consequences when something is passed that sometimes you don't see until it is in effect for a while. That's why in the General Assembly we go back and revisit and try and fix items so it doesn't have such a huge impact. Thank you.

CHAIRMAN GROUT: Thank you, Mr. Jacobs. Next I have Bill Langley.

MR. BILL LANGLEY: Thank you, Mr. Chair. I would like to thank the board for the opportunity to speak here this morning. Basically, what I'd like to start with is I know the decisions here being made are tough and they affect our fisheries and ultimately the livelihoods of many in all of our states.

With that being said, the species affected by those decisions impact our states differently. The striped bass is a fish that has an enormous

economic influence on our fishery in the Chesapeake Bay. The alternative species available to harvest and target in the bay are limited. Other states have a larger variety of fish available; and having a larger selection is a good thing especially during times of reduction as it provides options for anglers to refocus on while also lessening the likelihood of economic burden on that state.

However, because of a limited variety of species in the bay, the striped bass is what sustains our charter fleet. Speaking from first-hand experience – and actually a little background. I sit on the Potomac River Fisheries Commission. I sit on the Maryland Sportfish Advisory; but I'm also President of Maryland Charterboat Association. I have been a licensed captain for over 32 years. Speaking from first-hand experience, many of the trips I ran this season of groups to six to eight anglers would average a catch of 50 to 70 fish.

Of those 50 to 70 fish, we would keep two to three fish; basically sending 60 to 70 percent of our customers home without a fish for dinner. Those types of statistics have been echoed throughout the bay that I personally experienced. This past year's reductions have caused a negative economic impact on the bay's user groups, especially the charter fleet.

As you remember or may remember the show of captains who attended the August meeting in Virginia to express their concerns; many of those captains have lost business this year and are very concerned that the 2016 season will bring even a greater impact due to the lack of returning business experienced by the 2015 season.

I know that the MRIP data will – I don't know what the MRIP data will show. However, I can assure you that most of the charter fleet experienced a greater reduction than 25 percent. Many captains are experiencing greater than 50 percent reductions through Wave 4. In Wave 5, however, we may see some relief possibly; but by this time we've missed

Draft Proceedings of the Atlantic Striped Bass Management Board Meeting November 2015

the majority of opportunity for family and summertime trips when most people vacation.

I realize you can't make decisions here without the data to support them. However, I am asking to please consider options to lessen the negative impact that we are experiencing in the bay and to utilize new information as soon as possible when obtained. Thank you very much. I would like to also echo I do respect everybody in this room and the time and effort that they put in for our fisheries.

CHAIRMAN GROUT: Thank you, Mr. Langley. Finally on the list I have Robert Brown.

MR. ROBERT T. BROWN: Robert T. Brown, President of the Maryland Watermen's Association. We have a number of netters, charterboats, and we have a number of sport fishermen that have been recently joining our association because of what has happened with this. What I would like to do today is a little different approach.

We have some good news for a change. The Maryland Department of Natural Resources announced in 2015 that the striped bass juvenile index is the eighth highest on record and found an average of 24.2 juvenile fish per sample; approximately doubling the long-term average of 11.9. The survey also documented the healthy reproduction of other specimens.

DNR biologists counted record numbers of juvenile American shad, which have been under a harvest ban in Maryland since 1980; white perch juvenile index the third highest on record; and river herring reproduction has also been above average. What that tells me is the conditions are right on our spawning grounds; and this is what happens when fish have the right conditions in the very few first days of their lives.

The bad news part of it is the 20.5 percent reduction this season caused an impact that fishermen cannot bear. A fifth of their reduction in revenue in the fishermen in the

bay; that's on top of 20 percent of their gross sales, which comes right off the top.

The charterboats and the sport fishermen have a slot limit during the trophy season, which was nothing short of a disaster with disgruntled customers having to release 80 percent of the fish caught and then later a 20-inch minimum size limit where 95 percent of their fish caught were being released.

Now, these fish being released have a high mortality rate and it outweighs the 20.5 percent reduction that we have by protecting them. This is what happens when you micromanage anything. Just because the spawning stock showed some decline, the sky was not falling. In conclusion, we came a long time since 1982.

However, the benchmark, which was raised in the 2013, and the board approved Addendum IV in October 2014 in order to reduce F to a level at or below the new targets – coastal states a 25 percent reduction; the Chesapeake Bay a 20.5 percent reduction – this Addendum IV needs to be revisited, restructured or abolished. We moved too fast.

It takes time for Mother Nature to do what she needs to do and it won't happen until the conditions are right; and we had conditions right this year. We need to go back and revisit it and hopefully we can get some relief from this. I would like to also add that on the reference points in the Chesapeake Bay; that they should not be approved unless they are complete. When I mean complete, I mean with the sexing of fish to have it right.

I just want to say again Addendum IV needs to be revised, relooked at and corrected. As we can see since 1982 the way our fishery has been going, we've been climbing; and when the spawning showed a slight decrease, we just moved too quickly. If we had waited one more year, we would have seen the good results that we've had now. Thank you very much. Are there any questions?

Draft Proceedings of the Atlantic Striped Bass Management Board Meeting November 2015

CHAIRMAN GROUT: Thank you, Mr. Brown. Okay, the next thing on our agenda is Agenda Item 4, and Charlton is going to give an update on the turn-of-the-crank stock assessment that was done this year.

2015 STOCK ASSESSMENT UPDATE

PRESENTATION OF STOCK ASSESSMENT UPDATE

MR. GODWIN: I am going to present the 2015 stock assessment update for Atlantic striped bass. First I would like to recognize the hard work of the technical committee and the ASMFC staff, but especially the stock assessment subcommittee and Dr. Gary Nelson, who did most of the heavy lifting on the modeling.

This is an update or a continuity run of the 2013 benchmark assessment. The model configuration was not changed and just 2013 and 2014 data were added. Just quickly some data changes and updates; there were some revisions to some discard estimates from the tags. There were some tag returns attributed to commercial trawls in the Chesapeake Bay, which they do have so they were removed.

Weights at age for 2012 were updated and weights at age for 2013 and '14 were added. A very small number of fish from the Connecticut Bonus Fish Program from 2011 through '14 were added to the harvest. We are using the New York Young of the Year Index with the reduced sampling stations. In 2014 Delaware had some staffing issues and were not able to complete their spawning stock index.

The Virginia Wave 1 estimates for 2005 through 2012 were still estimated from the ratio of the tag returns from North Carolina. No tags were reported in 2014 in the Delaware commercial fishery to be used in the discard estimates; so the tags from 2013 were used. The MRIP Index, which is one of the tuning indices of fishery dependent, was updated with 2012, 2013 and

'14 data. At the time of the benchmark, the 2012 intercept data were not available.

Once again, the catch data, MRIP estimates of harvest and dead releases for the states from Maine through North Carolina – and for North Carolina that is in the ocean only – the reported commercial harvest from the states with commercial harvest in North Carolina, that's ocean-only again; and then, of course, the commercial dead discards are estimated from tag returns and from the recreational fisheries MRIP data.

Some catch that is unaccounted for; MRIP doesn't cover the Hudson River; and then the northern portion of the Delaware River; and, of course, we don't make estimates of poaching or unreported catch. Just to look at the coast-wide landings, this is in metric tons on the vertical axis. The recreational harvest has steadily increased since the stock was recovered in '95 and peaked in 2006 at about 14,000 metric tons or 31 million pounds; and has since declined to about 24 million pounds in 2014.

Due to harvest quotas in the commercial fishery, the commercial harvest has remained fairly steady since 1997. Harvest in 2009 was about 7.2 million pounds and has declined to about 5.9 million pounds in 2014. This is just a graph showing the partitioning of the coast-wide removals and the recreational dead releases is the portion of the bar graph on the top.

The green in the middle is the recreational harvest followed by the commercial dead discards and then the bottom portion is the commercial harvest; and you can see how that is proportioned out; the majority of the removals from the recreational harvest followed by dead discards; and then the commercial harvest and the commercial discards.

For 2014 you will notice that the last few years – and we talked about this probably with the

Draft Proceedings of the Atlantic Striped Bass Management Board Meeting November 2015

selectivity discussion; but the commercial dead discards have seen an increase in the last few years, 2011 through 2014. This is the total catch by fleet; so this breaks it out into the three fleets that are used in the statistical catch-at-age model; the commercial dead discards; the ocean, which includes the spring fishery, shad fishery in the Delaware Bay; and then the Chesapeake Bay.

Once again, this peaked in about 2006 with total catch and has declined since. We'll go over some state trends; and that should be MRIP harvest numbers. We've got two different values for the vertical axis so pay attention to those. Massachusetts, Maine and New Hampshire we'll look at first. Massachusetts is on the left vertical axis with Maine and New Hampshire on the right.

Massachusetts peaked in 2004 at about – and this is in numbers of fish – at about 450,000 fish and declined to about 314,000 in 2006 and has kind of bounced around since then. Maine had a peak in 2006 as well at over 84,000 fish and has dropped since then to around 20,000 in 2014. New Hampshire increased through 2006 and declined through 2010 and had a spike in 2011 but has since declined as well.

On this one, New York harvest numbers are on the left axis and Rhode Island and Connecticut on the right. New York saw a steady increase since the stock was declared recovered with peaks of around 700,000 fish in 2008 and '11; has declined slightly since them; with Rhode Island and Connecticut following a different trend, peaking in 2005, '06, with a gradual decline but both experienced a big peak in 2013.

We've got New Jersey and Maryland harvest numbers on the left axis; Delaware on the right. New Jersey peaks in the early 2000's and has been declining since about 2006. Maryland harvest peaked in 2006 and has declined since with increased harvest in 2013 and '14. Delaware also peaked in the early 2000's and has declined slightly since. Virginia and North

Carolina; Virginia is on the left, North Carolina on the right.

As you can see, Virginia had a peak in harvest in the late nineties from those big year classes starting with the '93 year class. It kind of bounced around through 2006 and has declined since then. North Carolina harvest increased steadily from 2000 through 2006 but then has declined and has had zero harvest in the ocean since 2012.

That is kind of typical with North Carolina being on the periphery of the range; and as the stock has declined, the fish haven't really – a lot of times they haven't come down. In the last couple of years they were off of North Carolina/Virginia, but they were outside of three miles in the EEZ so were unavailable for harvest.

Going over the MRFSS release numbers; once again we've got the same suite of states. Massachusetts is on the left axis; Maine and New Hampshire on the right axis. These trends follow the same as the harvest with that big peak in 2006, which was the peak of the stock abundance as well as harvest for the coast-wide harvest.

Looking at Rhode Island, Connecticut and New York, once again we can see a big peak in releases on '04 for New York; a big spike in '08 and '09 for Connecticut. Rhode Island also had a spike in 2013. New Jersey and Maryland on the left axis with Delaware on the right axis; and these follow the same trends that we see for the harvest numbers; peaking through the mid-2000's and then declining since, with a peak in Delaware in 2014 and really Maryland increasing some as well.

Then back to Virginia and North Carolina, once again it follows that same trend with the last couple of years, since 2012, with the fish offshore so far North Carolina has had no releases in the recreational sector. These graphs just show the total catch composition. On the axis we have proportion of the catch,

Draft Proceedings of the Atlantic Striped Bass Management Board Meeting November 2015

starting with that top left graph at 2006 going through 2010 and then on the right side of the graph is 2011 through 2014.

What we've had highlighted are some strong year classes. Starting with the '93 year class, in 2006 you can still see it making up some of the catch of 13 year olds; but we can see the '96, 2001 and 2003 year classes move through the total catch composition; and then in the last couple of years we see the 2011 year class starting to emerge.

A lot of the harvest, as we know, and releases in this fishery are driven by these strong year classes that we see coming through periodically. This is just another way of looking at the catch composition by fleet. These are kind of busy; I'll go through them just kind of quick. The main thing to kind of look at is the increase in the age structure since '82; the increase of the 8-plus year old fish in the catch composition.

This is the Chesapeake Bay Fleet. We see the same thing in the Ocean Fleet; and then for the commercial discards we see the same kind of trend, a big stand in the age structure of the stock through the rebuilding years. The next few slides we'll look at some of the young of the year, age one and the aggregate and age-composition surveys. These are the surveys that are used to tune the estimates in the statistical catch-at-age model.

If you look at the map there in the corner, it shows the distribution of the indices. The young of the year and the age one indices occur in New York in the Hudson and the age one haul seine in Long Island Sound. Then they have a young of the year and age one in the Delaware and Maryland and Virginia portions of the bay.

Then the blue circles are the age two-plus indices of adult abundance. Once again, they're all listed there in that table. We have the Connecticut Trawl Survey, the Delaware Spawning Grounds Electrofishing Survey, as well as the Maryland Gillnet Survey on the spawning

grounds, the Virginia Gillnet Surveys and the Pound Net Survey.

Looking at the trends from the fisheries-dependent data, the MRIP – MRFSS is on the graph, but it should be MRIP – we calculate a fisheries-dependent total catch rate from that. That peaked in the 2000's and has declined with a few peaks since then, but with a recent peak in 2013. The Virginia Pound Net has kind of bounced around without trend. It picks up some strong year classes.

The Ocean Haul Survey is no longer conducted, but that shows an increasing trend through the rebuilding period of the stock. The Connecticut Trawl Survey shows an increase and then decrease with recent stock abundance declines; the same thing with the New Jersey Trawl. The Maryland Gillnet shows a few peaks with a declining trend in recent years. The Northeast Fisheries Science Center Survey is no longer conducted, but that kind of bounced around without trend.

Shown in this slide are the young of the year and age one survey indices from the Hudson, Delaware and Chesapeake Bay. The Young of the Year Index from New York has showed a drop in the young of the year relative abundance from the high in 2008 with an increase in 2014. They had a good year class.

New Jersey Young of the Year for Delaware showed an increase in relative abundance since 2006. The Maryland and Virginia Indices have both shown a drop in young of the year relative abundance after the peak in 2003. Of course, that large 2011 shows up in both indexes and the age one Maryland. For age one fish, the New York Hudson Index has been variable but declining recently.

Overall in Maryland, the relative abundance of age fish has remained low after 2004.

Now to talk about the statistical catch-at-age modeling, this is a forward-projecting statistical catch-at-age model that produces estimates of

Draft Proceedings of the Atlantic Striped Bass Management Board Meeting November 2015

age one abundance or recruitment for each year, total stock abundance, fully recruited fishing mortality for each year, the catch selectivities in four regulatory blocks. The catchability coefficients are derived for all indices; selectivities for each survey with age composition data.

As we know, the data were split into three fleets based on regions, Chesapeake Bay, the coast and the commercial discards. This allows for improved selectivity fits and provides partial F_s from each fleet. Then the benchmark for the first time in 2013, the age-specific mortalities were used; 1.13 from age one to about 0.15 for age seven-plus throughout.

This slide shows the estimates of total fully recruited F , the total F for the total coastwide. That's the top diamonds; that is the plus or minus 1 standard deviation around all of these values. The next graph below that, the next line is the ocean F and then the F in the bay and the commercial discards. These trends in F have pretty much tracked the trends in the harvest from these various fleets that we've discussed earlier; a peak for the ocean in the total overall mortality at about 0.26, declining since then, remaining fairly stable the last few years at about 0.23.

This is a graph of the estimates of age one abundance plus or minus standard deviation. Once again, we can see those really strong year classes are evident starting with the '93 year class, '96, 2003 again was a big year class and then 2011. I think this graph also illustrates the impact of the environmental conditions, both natural and anthropogenic on the annual spawning success.

It is not always just about the spawning stock biomass. Some of the biggest year classes were produced '93 through '96 at relatively low stock abundance; and some of the relatively mediocre poor year classes were produced at some of the highest stock abundance through 2004 through 2010. This slide shows the estimates of total abundance and the estimates

of age 8-plus abundance from the statistical catch-at-age model.

The results from the model indicate that both abundances have been declining since about 2004. Also shown in there is the difference in the 2013 benchmark and now with the updates; so that dashed line is that retrospective bias that we see in the estimates of total biomass and age-specific biomass. You can see how that has changed since the 2013 benchmark.

This is female spawning stock biomass with the 95 percent confidence intervals shown around that estimate. The spawning stock biomass threshold is shown in there as well. As we can see, it increased steadily from '82 through 2003 when it peaked at about 78,000 metric tons. It has declined since then and is estimated at 63,918 metric tons or about 141 million pounds.

This is above the threshold but below the target. However, given the error associated with the estimate, there is a small probability of 0.16, so the SSB is below the threshold. Now, this shows spawning stock numbers. The last graph was in biomass and tons; this is numbers. Spawning stock numbers have declined a little more rapidly than biomass, and that has to do with the number of the younger females in the population.

We have a broad age structure so some of those older females account for the decrease in the biomass relative to numbers. One graph on the retrospective analysis – and this is something that we've seen even through the VPA. Normally the F in the terminal year is slightly overestimated while stock abundance is slightly underestimated.

The way this works the current model estimates are compared to the estimates that would occur from the current year's data is deleted; so one year is pulled back and we can see the difference. There was quite a retrospective bias in the past; but it seems in the past few years, especially 2008 through 2010, that the retrospective bias has gotten a lot smaller and

Draft Proceedings of the Atlantic Striped Bass Management Board Meeting November 2015

has stabilized; but it is still unlikely that the current estimate from the 2015 terminal year will not change with the next assessment update or benchmark.

Next we will talk about the status of the stock. On the top graph we have the female spawning stock biomass with the target and the threshold identified as well as the dotted line is the difference. You can see the difference in the terminal year from the 2013 assessment and now the 2015. On the bottom we have pre-recruited F showing the same things, the target and threshold, and the dotted line showing the retrospective difference from 2013.

In 2014 the stock was not overfished or experiencing overfishing based on the point estimates relative to the reference points defined in the assessment. In 2014 the spawning stock biomass is estimated at 63,900 metric tons, above the threshold of 57,600 metric tons but below the target. F in 2014 is estimated at about 0.21, below the threshold of 0.22, but above the target of 0.18.

We did some projections; so what you have here is these graphs show estimates of SSB and F assuming constant catch from 2015 through 2017. The two graphs on the far left show the projected estimates compared to the threshold biological reference point. We've got female SSB up on top and then the fishing mortality on the bottom; and then beside that, still on the far left, is the probability of the estimate comparisons.

If constant catch is maintained from 2015 through 2017, the probability of being below the spawning stock biomass threshold increases to about 0.49 in 2015 and declines slightly thereafter to about 0.40 in 2017. F is expected to decrease to an average of 0.18 during 2015 and 2017; and there is less than a 0.12 probability of exceeding the threshold.

The two graphs on the right are the same estimates suggested for the average retrospective bias that has occurred from 2009

through 2013. That's the block of years that the technical committee chose to look at the retrospective bias and adjust for it. When adjusted for this retrospective bias, the probabilities of SSB exceeding the threshold are sharply reduced.

Likewise, the F is expected to decrease to an average of 0.17 during 2015 through 2017 and has less than a 0.06 probability of exceeding of the threshold. However, as discussed before, the results of the retrospective bias projections should be treated with caution. Although it is expected the numbers of age are underestimated and the fully recruited F is overestimated in the terminal year, the magnitude of that difference cannot reliably be predicted.

The next slide is the same projections but relative to the target; so the target is shown there. The two graphs on the left are the unadjusted projections with the SSB target on top and the fishing mortality target on the bottom and then their probabilities and likewise adjusted with the retrospective adjustment on the right.

Just as a reminder of some of the management triggers that triggered some of our reductions; Triggers 3 and 4, if F and SSB are below the target for two consecutive years, the board is required to reduce F to a level at or below the target within one year, required to rebuild the biomass within the established timeframe. Keep in mind that the 2015 stock assessment update does not reflect Addendum IV regulatory changes. With that, I'll take any questions.

MR. JOHN CLARK: Thank you for the excellent report, Charlton. I was just curious; you mentioned the retrospective bias has not changed much; is that still with the 9 to 13 percent that was reported in the benchmark assessment?

MR. GODWIN: I believe so. The retrospective bias has gotten less through the years. I'm not

Draft Proceedings of the Atlantic Striped Bass Management Board Meeting November 2015

sure exactly what that percent is that we calculated for this. We used the years 2009 through 2015 for the projections; so I'm not exactly sure what the percent is. It has gotten a lot smaller than it was in the earlier time period.

BOARD DISCUSSION OF STOCK ASSESSMENT UPDATE

MR. MARTIN I. GARY: Thank you, Charlton, for an excellent presentation and the technical committee for all their good work. My question is about recruitment. Charlton, I was wondering if you could confirm – I know this update goes to terminal year of 2014; but just for the record, can you confirm what we heard in the public comment period that the juvenile index in Chesapeake Bay for Maryland was the eighth highest here in 2015. In Virginia it was slightly above average. If you could confirm that, I just have one follow-up comment.

MR. GODWIN: I believe that's right. I have talked to the folks in Maryland. They did not tell me an exact number, but they said it was well above average this year. I'm not sure if they're finalized with it. Like you said for Virginia, I know that their number was slightly above the average maybe.

I have not heard from New York and Delaware for their surveys. I do know for North Carolina we have had one of our highest JAIs as well. Whatever large weather systems or whatever goes on that affects the Chesapeake Bay sometimes affects Albemarle Sound, too, so we've have had a good juvenile abundance as well.

MR. GARY: To Chairman Grout and the rest of the commission, I wasn't on the commission back in 2011; but looking back in the record at the annual meeting, which I believe I read was in Boston, the results were put out. The results for 2011, that strong year class, which was the fourth highest in the recorded history of the Maryland Juvenile Index, was discussed; and the board took action to delay reductions in fishing mortality as a result. I just wanted to

make the board aware – I think I'm correct with that and somebody can correct me; but I wanted to put that out there.

MR. ROB O'REILLY: Before I ask my question, I'll report that the Virginia Index was statistically average. It is an index that is prepared and the survey is conducted by the Virginia Institute of Marine Science. The point estimate was 12; the long-term average is 9; but the last five years there is still a statistical average when you look at it that way.

My questions concerns commercial discards; and I'll try to get it all enveloped in one question or a little bit after that. If I don't, I might need just a little follow-up. I can't completely say I understand all the motivation of the fleet-specific approach; and that's really that important. There are other representative fisheries where this has been an approach.

What I really am wondering about – and this will play into our second item – is the commercial discards that suffer mortality. I saw the graph, Charlton, that you had up there; and it was moderated because you did it in a proportion of the total removals. When you look at that graph – I guess that was some kind of pyramid graph or some kind of stacked graph – you really can't tell the contrast; but when you look at the data for dead discards by themselves, it is a fluctuating process beyond belief.

We had a 78 percent increase in commercial dead discards from 2013 to 2014; and as you look back through the time series, it just isn't something that really holds very high regard in terms of any kind of even statistical sense. The fluctuations, just to give you a few here, from 2007 to 2008 is a 49 percent decrease; 2008 to 2009, 98 percent increase.

Then that's followed by a 58 percent decrease, 144 percent increase. As I you go back – and I can't remember exactly when the methodology was settled on the tag-based approach, commercial and recreational elevated or scaled

Draft Proceedings of the Atlantic Striped Bass Management Board Meeting November 2015

up by the B-2's – I don't know the exact year when that was done, whether it was 2002, I can't remember, but this trend is throughout. In one of the other documents what I looked at was the idea – I won't look back at now – was essentially a lot of caution about the commercial fleet in terms of having reference points.

I sense that might be a weakness in the approach. I know it passed peer review, and I'm aware of that, but I think the idea that management is going to have to be aware that to have fleet-specific reference points for the commercial discards is really going to be problematic. I am assured, though, that the discards can be separated out by ocean, which we're now calling the coastal, and bay.

I think it can work out; but on commercial discards, Charlton, in the last couple of years has there been a shift – so, for example, is the bay contributing more to the commercial discards, this 77 percent increase from 2013 to '14? And by the way the dead, the dead discards comprise a greater extent than the harvest itself in that year.

Is it the bay that's causing that and has the technical committee pinpointed in the last few years what is involved there? If it is supposed to be the 2011 year class, we would have expected probably even in 2013 for there to be the magnitude that there was in 2014. I'm really searching for some information. Again, this is also something that will be part of what comes up in our second issue about the age five ratio bay and coast. Thanks again.

MR. GODWIN: To your question about is it attributable to the bay or the ocean; currently the way that the estimate is calculated, it is not separated out from commercial versus bay. I'm not sure that it would be able to. Just real briefly one more time, the way that we calculate this ratio, they take the ratio of the tags from the recreational releases to the ratio of the tags from the commercial releases. These numbers are very small.

As you noted, in 2014 in Delaware they didn't have any tags returned from the commercial fleet so they used numbers in 2013. Reporting rate has a big impact on the commercial discard estimate. I think the technical committee has said many times this is probably – well, this definitely the weakest aspect of the estimated mortality in the model.

Just talking about what you were discussing earlier with the fluctuation – we put this graph back up here – if you look at the period from '04, '05 and '06, especially from '04 to '05 the commercial discards dropped significantly. This was at the time when the stock was at its highest abundance and the recreational releases were at their highest.

Intuitively you would think that trend would follow. Likewise, you would think that the trend from 2011 through 2013 at least would have decreased because of the decline in stock abundance, the recreational releases at some of their smallest levels ever; but like you see from 2013 to 2014 we see a big increase. It could be to the 2011 year class as three year olds.

We can't attribute it to one thing or another; but it is little kind of intuitive, the commercial discards. You're right, it is going to be extremely different. I'm sure we'll talk about this when we get to the fleet-specific reference points, but it is going to be very difficult to have a reference point on the commercial discards when you really can't control them that well. We'll have a good way of estimating them, we'll have a good way of projecting what they're going to be like with all these other metrics in the stock assessment. I hope that answers your question.

CHAIRMAN GROUT: Do you have a follow-up, Rob.

MR. O'REILLY: Not necessary; thank you very much, Charlton, for all the information.

MR. MIKE LUISI: Thank you, Mr. Chairman, and thank you, Charlton, for the presentation. I

Draft Proceedings of the Atlantic Striped Bass Management Board Meeting November 2015

want to get back a little bit on what John Clark was asking about regarding the retrospective analysis. I understand the retrospective to be directional; and by directional I mean that the terminal year that is a result of an update, a benchmark or an assessment update, spawning stock biomass is typically underestimated while the fishing mortality is overestimated.

I understand it to be that way. Also with the directionality of the retrospective pattern, I would expect that there would be some predictability. The predictability in my mind could be an average over time of the bias as it is making corrections to that terminal year. I would like some explanation, if you can, to your last point about the fact that while the retrospective is a product of the assessment and it is reported to this board, why should that not be considered the best available science for management use?

I find it hard to sit here and to look back at the terminal year of 2012, which began the ball rolling down the hill regarding Addendum IV, where the spawning stock biomass – if you're looking at the graph that on the screen right now, the spawning stock biomass appeared as if it was going through the threshold any given day at that time and fishing mortality was estimated to be hovering between the target and the threshold.

With an update, we now learn that at the same time the spawning stock biomass had actually increased. Looking at that graph, it looks as if it is moving towards the target. The fishing mortality in 2012 was at the target. If these corrections that are a result of this bias are accepted as the newest science, then how come if we can project – and you show projections into the future using this bias – how come that is not considered to be the best available science? I'll leave it at that. Thank you.

MR. GODWIN: Well, as you've stated, most times the retrospective bias is directional. If you looked at the graph of F, you will see in some of the years in a couple of instances it was

not estimated the same. It was in the other direction. There is no way to predict – even though we have a consistent trend with this particular stock, all stocks act different. Some stocks have a bias that is in the other direction. F is underestimated in the terminal year while SSB is overestimated. That is the problem with modeling the Albemarle/Roanoke stock for whatever reason. I'm not sure the stock assessment scientists have a good handle on exactly what causes that retrospective bias. They know it exists. As you also saw in the graph of the different layers, that bias has changed over time; so what we did is gotten smaller.

The differences between the terminal year and then when a few more years of data are added have gotten much smaller than they were in the earlier years of the assessment. All we can do for the projections is take an average of, like you said, the last few years, the last five years. We could have used the last fifteen or twenty years. There is just no way to predict what it is going to be. It is just like predicting the recreational catch in the next year.

We can take an average and show you what would have happened with regulation changes based on last year's catch data, but there is no way that is a prediction of what is going to happen in the past. I think whether that is accepted as the best science, I think those types of risk assessments are a board decision, maybe.

As far as I know, there is no way to accurately predict what that bias is going to be and then to account for it. All we can do is what we did with this retrospective – I mean, with the projections was pick some year of averages and say, well, this is what has happened, this is could be what happens in the future, but there is still no guarantee as to whether the direction is going to be the same or the magnitude.

MR. LUISI: Just a quick follow-up; I think this board needs to consider for the future whether or not the retrospective is going to be

Draft Proceedings of the Atlantic Striped Bass Management Board Meeting November 2015

something we consider. I don't see why we sit here and look at projections considering this basis, but then wave it off as if it doesn't exist. I don't agree with that approach. It doesn't have to be debated today, but I think this board needs to consider whether or not in the future we get the information. Why receive that information if it is not going to be usable.

CHAIRMAN GROUT: Further questions from the board? Okay, seeing none, I would like to have us consider a motion the stock assessment for management use. Is there anybody willing to make that motion?

MS. TONI KERNS: Typically, Doug, we don't do updates for management use, just benchmark stock assessments since the update doesn't change any of the modeling structure. It is just a new year's data, so it is not necessary. You can if you would like to, though.

CHAIRMAN GROUT: Okay, seeing that it was an action item, I assumed that we had to take action. Okay, with that being done, we do have another report from the technical committee. This was something that the board charged the technical committee to do at the request of the bay jurisdictions. Mike.

MR. LUISI: Mr. Chairman, if we can hold off on moving to the next topic, I was respecting your wish to just ask questions at that point, but I would like to ask you a question and make a few comments depending on the answer that we get. I think it is clear to me. I know that my stakeholders – we've heard from a number of them today – have concern over the reductions that have been taken as result of **Addendum IV**.

There is confusion about when will we have an opportunity to consider additional management based on the results of Addendum IV. I think some people – I know a lot of my stakeholders are under the impression that this addendum was a one-year plan to get the fishing mortality to the target and they're expecting that there be some consideration of relief.

There has been a great deal of hardship in Maryland. The commercial charterboat captains have gone out of business as result of the actions that have been taken. I would like to have it on the record, Mr. Chairman, in your opinion when will stakeholders have an opportunity and when will this board have an opportunity to look at making management change for the future or are we just expecting to hold the line where we are indefinitely into the future? Thank you.

CHAIRMAN GROUT: Well, from my perspective, one, this was not a one-year reduction. It was clear that this would be in place until we made an assessment of whether we had accomplished our goals of the addendum or not. At that point we would make some kind of decision as to whether we were going to make any changes to our management.

Could I ask staff when is the next updated or benchmark striped bass stock assessment scheduled? The next stock assessment is scheduled to be in 2018; and that was at the point that we were going to be evaluating what the impacts of our management measures were in attaining our goals and objectives here. I believe that's a benchmark stock assessment that is scheduled at that point. As of right now that's the process that's in place right now. That's when we're expected to evaluate.

MR. LUISI: Thank you for that. With a benchmark in 2018, we'd be looking at having that terminal year through – so, there is a possibility that in 2019 changes could happen as a result of reviewing the reductions that were taken. Personally that is unacceptable. It is unacceptable to me that we have to wait that long.

Looking at the graphs that I'm looking at on that screen, we've made the argument before we felt that these reductions were extreme. I've heard the word "crisis" from my stakeholders. The charter, the recreational and the commercial industry are suffering greatly as a

Draft Proceedings of the Atlantic Striped Bass Management Board Meeting November 2015

result of the reductions that we've taken. Now, this board was generous.

When we took those reductions, the coast-wide reduction of 25 percent was expected to return fishing mortality to the target in one year. This board gave us the opportunity in the Chesapeake Bay to seek a lesser reduction of 20.5 percent. We implemented measures to achieve that 20.5 percent. What we've been hearing through Wave 4 on the recreational harvest indicates that we're grossly over that 20.5 percent.

I can't sit back and explain to people in my state that we're just going to hold the line and we're going to wait until 2019 before any consideration would be given to making corrections given that there was no socioeconomic evaluation of these reductions, fishing mortality was at the target, looking at the latest best available science.

The spawning stock biomass, while still in some decline, is now between the target and threshold. It is unacceptable and I would like to make a motion. **With that said, I would move to initiate an addendum to reconsider the reduction options in Addendum IV for the 2016 fishing season in the Chesapeake Bay based on the results of the 2015 assessment update and retrospective projections.** If I can get a second on that, I'll give some justification and explanation for that.

CHAIRMAN GROUT: Seconded by Rob. O'Reilly. Go ahead, Mike.

DISCUSSION OF ADDENDUM IV

MR. LUISI: Well, I guess I just gave all my explanation as to the reason. I have a problem with that. Sometimes it would be better if I threw the motion out there and then had a chance to justify my argument. I think it is clear. We heard from three fishermen and stakeholders, legislators from our state giving the impacts that we faced. We made the argument a year ago there was no

socioeconomic analysis to determine what impacts we faced.

The impacts are tremendous. The fishermen in Maryland do not have the same opportunities as coastal fishermen regarding the species that they can fish for. Striped bass is the key species in our state. By cutting back as we have, I've mentioned fishermen are out of business. Addendum IV had options in it. Addendum IV had options to consider.

We urged the board to think and consider the 7/7/7 approach, which was a way to take reductions while at the same time mitigate that economic hardship. That is something that I think now given the fact that this assessment update is indicating that the stock is healthier than we thought it once was; that fishing mortality at the time that we thought we were overfishing was at the target; knowing that the retrospective bias – no matter what is said about the bias, there is a trend there.

There is a directionality to that bias and those 2013 and '14 data points will be corrected and they will come down. There is no doubt in my mind that the 2013 F estimate that is showing that we're overfishing will end up in some way below the threshold and the target. There is no doubt in my mind that the 2014 fishing mortality will be around the target during the next update in 2018. I would like the board to consider this and take a hard look back at Addendum IV and determine whether or not the Chesapeake Bay and continue with its reduction plan but in a way that is more reasonable to the impacts that we're facing. Thank you, Mr. Chairman.

MR. O'REILLY: Thank you, Mr. Chairman, for allowing me to comment as seconder. I won't have quite as many comments, but I could. The situation is that I'm surprised. I know that we had an eight and a half hour meeting and that doesn't include the short break back in October of 2014, I think it was. Thought patterns towards the end of the meeting were stretched.

Draft Proceedings of the Atlantic Striped Bass Management Board Meeting November 2015

I don't recall being told that a benchmark assessment would take us to the next management regime. I don't understand why it would. Summer flounder was just recently assessed as an update after missing a 2014 update; and there is a 25.6 percent reduction associated with that. Management certainly can take place without a benchmark.

I really don't understand where the benchmark is coming from. I would like to be able to speak for some of the coastal states as to what they think about the situation of waiting until 2018. I haven't directly, but I know within the Chesapeake Bay we were to a point where we all thought – I did not think one year. I thought we adopted a plan for a two-year approach to be reevaluated and go from there.

Otherwise, it doesn't make any sense as to why, when our recreational and commercial fishermen were willing to do the 7/7/7/, why that couldn't have been put in the perspective of where we stand today and what we're hearing about when there would be relief. It really is relief. I don't think in Virginia we had as much kickback, pushback as in Maryland, but we had plenty.

However, we spent five different long meetings trying to get our fishermen ready for Addendum IV. I think that helped a little, but I know now they're going to think, well, what was that all about that we're going to actually wait four years from the point that we have this 20.5 percent reduction until maybe we get some relief.

I really am surprised; and if I missed something at that October meeting where it was explicit how there would be a change in management, I'll have to research the record and find that. I certainly agree with Mr. Luisi that patience has been stretched completely thin in the bay. Part of what you're going to hear a little bit later; we had a very sound management system from 1997 until 2014. We've played by the rules. When we could reduce, we reduced. A couple of times if we were able to increase, we did.

We always stayed within the guidelines that the board had; and, quite frankly, there has been opportunities missed already on the 2011 year class, if everyone doesn't know that. These fish are pushing out into the coast at a trickle to some extent that will turn into much more than a trickle as we go through this process. It is a shared resource, but I think that today we really need to look at what we're going to do; and are we just going to sit on our hands and wait for a benchmark. I appreciate the time and thank you very much.

MR. THOMAS FOTE: I guess, Rob, I was not surprised. I mean I sat around this table and I've been getting a real beating because of the things I've said over the last two years. I've looked at the retrospective analysis. We've seen this over and over again. We'd go out to do an addendum, waste a year and a half to do that, look at the retrospective analysis at the last minute and say we don't do anything, and that's when it usually caught us.

One year it didn't. New Jersey changed its regulations completely to do a smaller reduction and that's when we put the slot limit in. A year and a half later, they said, no, we don't have a problem so you've got to go back to your other fishery. Actually, the slot limit, the way we basically did it at 24 to 28 was actually more conservative.

In 2002 through 2009 we had all those big fish because you only could catch one fish. Striped bass management sometimes is not based on what we look at the science for. If you look at what we do on summer flounder, if I did the same thing I did on summer flounder that says we're not overfished and overfishing is not taking place, but in 2017 there is a possibility if we don't see anything, we should basically do that, we don't do that.

I mean, we don't do it on summer flounder; we do just the opposite. We do just the opposite on black sea bass and a whole bunch of species. Striped bass is more, to some people, a religion than anything else; and it was to me for years.

Draft Proceedings of the Atlantic Striped Bass Management Board Meeting November 2015

That's why I got involved with all the fisheries management. I sat here and argued against this proposal at the time.

People actually complained that some states only took a 25 percent reduction on the recreational side not caring what happened on the coastal commercial side when they still took their 31 percent reduction. All they did was care about reducing the recreational catch by some states. Some of those states always wanted one fish.

I find this a little hard to support since you're only looking at Maryland and Virginia and the Chesapeake Bay because the same thing is going on in the coast. It is the same thing all over when we look at the retrospective analysis. I agree with Mike. We should be putting that in; we know it is. It is smaller, but it might go from 13 or 12 or 13 to 11 we know as we look at it year after year.

I'm probably going to get beat up on the internet again because they call me a striped bass hog; but I'm looking at the science and I have to base my decisions on the science. If we had just really looked at the science, we shouldn't have done this addendum to this plan. I'm looking at we're not going to change just one part of it. You're either going to change the whole thing or you're not going to change anything.

CHAIRMAN GROUT: Because we've had three people speak in favor of this, I just want to check to see if there are people that would like to speak against this motion before we move forward. All right, I'm going to give Pat Keliher a chance and then I'm going to go for and against.

MR. PATRICK C. KELIHER: The ink has even dried on this plan yet. We don't even have the results of the regulatory actions that were taken last year by all the place in place. I think this is very premature. There was a lot of talk about the impact to the bay states. Maine has

been suffering the results of declining stock for quite a few years.

Our tackle shops have gone out of business, guides have gone out of business. The amount of recreational fishing activity on the coast of Maine has been slashed. Mr. O'Reilly talked about a trickle of fish coming to the coast. It is going to take a lot more than a trickle to positively impact the state of Maine. With that, I'm going to voting against this motion.

CHAIRMAN GROUT: Next on my list on the for, I have John Clark.

MR. CLARK: Following up on Tom Fote's comments and Rob O'Reilly's; first, it does affect all the states in the Mid-Atlantic. I would just like to ask Mr. Luisi and Mr. O'Reilly if they would consider removing the Chesapeake Bay from their motion, because this is something of great interest to Delaware, also. If not, I would like to amend the motion.

CHAIRMAN GROUT: I think this is already the board's motion, so I think you'll have to make an amendment to the motion.

MR. CLARK: **In that case, I would like to amend to remove the words "in the Chesapeake Bay".**

CHAIRMAN GROUT: Is there a second to that motion; Pat Augustine. Okay, discussion on the amendment now. Would you like to speak to that motion first?

MR. CLARK: Yes, I would. As Mike so well put it, these cuts have had huge impacts on all the states that produce striped bass. As you know, we appealed this addendum for the impact it would have on our commercial fishery and the fact that no economic analysis was done. I think we can state without objection to it that I don't foresee commercial quotas ever going higher than they were under Amendment 6.

Let's face it; those quotas were put into place at the absolute peak of the striped bass population. Since that time, we've taken a 25

Draft Proceedings of the Atlantic Striped Bass Management Board Meeting November 2015

percent cut. For our fishermen we can measure that concretely. That's about probably fifteen hundred to two thousand dollars a year that we are taking away from those fishermen. We can't say sacrifice now and you'll get it back and then some later.

If they're lucky, we'll get back to where we were under Amendment 6. From just a strict economic standpoint, we've taken money away from these guys. We're doing it year in and year out. From what you're saying now, if we wait until the next benchmark assessment, that's years that we're taking money. A lot of these guys don't make a lot to start with; so two thousand dollars is a big hit each year. As we saw once again when looking at the bias there, the spawning stock biomass, even with these extremely conservative reference points that we now are working under, has been still above the threshold. I would like to see us reconsider these options not just for the Chesapeake but for the coastal stock also. Thank you.

CHAIRMAN GROUT: Ed, I understand you had your hand up for the underlying motion. I'd like to get for and against for this amendment; so you're against or for? I'm going to take an against right now from Ritchie White.

MR. G. RITCHIE WHITE: I'm against both motions, the amendment and the main motion. Pat said it pretty right on. The northeast has been struggling for a number of years. This is brand new to the Chesapeake. It is not brand new to the northeast; and we're just starting to see a few more fish this last year.

We're waiting for the benefits of the 2011 year class that we hope is more than trickle coming forward. I can't imagine what the public is – if we pass this what the public is going to say. The public was overwhelmingly in favor of the actions we took. If we change this before we've even seen any results from it, I believe the credibility of the commission is going to suffer. I strongly oppose both these.

MR. O'REILLY: Well, I certainly support this and earlier you heard me say that I hadn't directly talked to the coastal states. I have an inkling that in some of the coastal states they would like to see improvements. On the other hand, I just want to mention that part of what we would have to do here would be an update; so we would certainly know the effects of the recent regulations with an update. It would not alienate our constituencies if they knew that a stock assessment had been done. Thank you.

CHAIRMAN GROUT: Michelle, are you speaking for or against this?

DR. MICHELLE DUVAL: Mr. Chairman, I wanted to actually speak against it. Rob has touched on part of my concern, which is that we would not have evaluated the impact of the 2015 regulations through an update before initiating an additional addendum. Because of that, I would share the concerns that have been expressed by Mr. Keliher and Mr. White.

I'm very sympathetic to the impacts being felt by the bay states. North Carolina hasn't even had a commercial or recreational striped bass fishery in the ocean for the past couple of years. That is not due to any regulatory changes; that is simply because those fish have not been available to our constituents. We have also had economic impacts from that.

We've also had economic impacts from the reductions that we've had to take on the Albemarle/Roanoke stock of a 50 percent cut in the overall allowable landings' level there. I am sympathetic to those economic impacts, but I think it would be important to have an update to the assessment just in order to get some quantifiable evidence of what the impact of the 2015 regulations would be before I would support moving forward with an addendum.

CHAIRMAN GROUT: Is there somebody else on the board that would like to speak for this amendment? Ed.

Draft Proceedings of the Atlantic Striped Bass Management Board Meeting November 2015

MR. ED O'BRIEN: Mr. Chairman, I haven't sat at this table very much, but I've certainly had a lot of comment from the floor. I've appreciated the permission to do that. What I'm seeing here – and I don't want to repeat everything that has come from our people from Maryland who have spoken up here today.

It seems to me that this organization needs some kind of a provision for adaptive management; that when there is a crisis situation – and with us this is a crisis right now. I know we don't have another meeting until February, but it seems to me somebody should be looking at this. There could be a crisis in another state, too.

I'm not talking about migration patterns, that kind of thing, but I'm talking about things that could suddenly happen based upon a hurricane or whatever. The romance among rockfish in the bay must be pretty great. The spawning stock seems to be edging down a little, but we've got lots of little fish out there. Let me tell me they're a very healthy fish.

Going back to another time, you recognized me a couple years ago. This micro, whatever, and all the fear that went into that for being a factor just isn't present. We've got very, very healthy fish out there. Now, there's a lot of young people getting involved now when it comes to stocks in the different states.

I would like to bring up again that we went into a moratorium for five years. My son and I had to quit fishing. Everybody was very appreciative of what the bay states – what Maryland did then. Please remember that and please remember that we had a disastrous situation when it came to the spawning biomass out in the EEZ.

I got involved with that. Mr. Diodati gave me a lot of time. I got the coast guard to support the enforcement situation and we solved the problem. We've got a problem in the bay right now relative to what is going to happen in 2016; and to me it is an emergency. I just don't

understand why we can't be a little more adaptive.

When George Bush got on my boat and a lot of security; we went out there and his people were not happy with me based upon the way I was running the boat minute by minute. I got real happy when I heard about what the subject was going to be. The subject was to make rockfish a gamefish. I sort of went bananas at that.

I said, "Hey, we've got an Atlantic States Marine Fisheries Commission and every state has an input." Well, they went to him and they said, "This captain does not agree with the speech you're going to make." Bush said, "Well, let me see that speech," and he revised it. He was well aware of my previous career and checked on that and he came to the boat and was very, very generous in his recognition of the point that I made for states' rights.

That is what this is; it is states' rights personified. I appreciate it and we don't always agree, but I do think we have to come up with some mechanism between now and February to look at 2016. I hear 2019 here today and that causes me to feel a little panic. Anyway, thanks for listening to me. If you do recall, though, we had something like this about seven years ago where there was a mistake in the calculations. We had to go into a slot and it caused a lot of grief; and that was an emergency. You all changed it the next year. You found the mistake; you corrected it; and you made an adjustment. Well, to me, that was adaptive management, also. I'd just like to see more of that when it comes to this problem. Thank you very much for letting me speak.

CHAIRMAN GROUT: Speaking this, I have Dennis Abbott and Lauren.

MR. DENNIS ABBOTT: Mr. Chairman, I came to this meeting morning expecting a very quiet meeting that would last two hours and I envisioned being out of here before ten o'clock. Then Charlton for some reason lit a fuse that is

Draft Proceedings of the Atlantic Striped Bass Management Board Meeting November 2015

about to explode. I think I can speak in behalf of my constituents that we shouldn't be reacting so quickly to some positive signs, some interpretation of positive signs. In simple terms, this appears to be a knee-jerk reaction to some good news.

I think the commission should operate on the premise of having stable management. One of the things I think Mr. Luisi said was they wanted a better crack at the 2011 year class before it left the bay. Well, that's what all the other states are hoping will be out there to improve their fishing. I mean it looks like we don't want to share that 2011 year class. We want a bigger piece of it and you can have the trickle.

Well, I won't go on; I think everybody probably has their points to make, **but I would like to make a motion right to table this; and I would like to table until the February meeting** so that the public can have some time to react to what I consider a knee-jerk reaction by the Striped Bass Board to change the management measures that we recently placed in effect. Let's let the public at least know what we're doing. Thank you, Mr. Chairman.

MR. KELIHER: **I'll second that.**

CHAIRMAN GROUT: Seconded by Pat Augustine. A motion to table is non-debatable.

EXECUTIVE DIRECTOR ROBERT E. BEAL: Just a point of clarification to Mr. Abbott; are you tabling both of these motions?

MR. ABBOTT: Yes.

EXECUTIVE DIRECTOR BEAL: So both motions will be tabled and not just the motion to amend; is that correct?

MR. ABBOTT: Yes.

CHAIRMAN GROUT: Okay, do you need time to caucus; this is non-debatable.

REPRESENTATIVE CRAIG A. MINER: Mr. Chairman, clarification.

CHAIRMAN GROUT: I'll take Representative Miner.

REPRESENTATIVE MINER: I'm not completely up on Roberts Rules of Order, but I don't think you can table a motion that is not before the committee for a vote. I don't know how you could table both of these at the same time.

MR. PATRICK AUGUSTINE: Mr. Chairman, I didn't second that motion.

CHAIRMAN GROUT: Pat Keliher was the second. Okay, the motion is non-debatable. We're tabling just – unless I hear further guidance, I'm having a request for a roll call vote on this. Do you need time to caucus on this motion to table? **Unless I hear differently, this is a motion to table both motions. I'm going to read the motion to table: Move to table the main motion and the motion to amend until the February meeting.** Motion by Mr. Abbott; seconded by Mr. Keliher. Are you ready to vote?

MR. MARK GIBSON: We have a point of order question of whether we can table both motions at the same time.

CHAIRMAN GROUT: Go ahead and give me some clarification on this.

EXECUTIVE DIRECTOR BEAL: I don't know if I can do that, but I'll talk anyway. Procedurally it is probably correct that you can't technically do both motions; so if there is concern over that, consider tabling the motion to amend; and then depending on the outcome of that, if the board would then like to consider tabling the main motion, they could do this in two steps rather than one if there is a concern about the parliamentary process.

CHAIRMAN GROUT: In that case I'm going to rule your original motion out of order because it

Draft Proceedings of the Atlantic Striped Bass Management Board Meeting November 2015

contains both and then would you like to make a motion for just one?

MR. ABBOTT: Well, Mr. Chairman, my motion was table; it wasn't to table both at the time; so technically I was making a motion in my mind to do both, but what was put up on the board, if you want to have a strict interpretation could be regarded as motion to table. Immediately following a positive outcome of the first motion, I would request to be recognized to make a similar motion for the main motion.

CHAIRMAN GROUT: Now that I have this straightened out, is everybody clear on what they're voting on? **It is a motion to table the motion to amend.** Do you need further time to caucus or are you ready to vote; and this will be a roll call vote. Max, can you do a roll call.

MR. MAX APPELMAN: Maine.

MAINE: Yes.

MR. APPELMAN: New Hampshire.

NEW HAMPSHIRE: Yes.

MR. APPELMAN: Massachusetts.

MASSACHUSETTS: Yes.

MR. APPELMAN: Rhode Island.

RHODE ISLAND: No.

MR. APPELMAN: Connecticut.

CONNECTICUT: Yes.

MR. APPELMAN: New York.

NEW YORK: Yes.

MR. APPELMAN: New Jersey.

NEW JERSEY: Yes.

MR. APPELMAN: Pennsylvania.

PENNSYLVANIA: Yes.

MR. APPELMAN: Delaware.

DELAWARE: No.

MR. APPELMAN: Maryland.

MARYLAND: No.

MR. APPELMAN: District of Columbia. (No response) Potomac River Fisheries.

POTOMAC RIVER FISHERIES COMMISSION: Yes.

MR. APPELMAN: Virginia.

VIRGINIA: No.

MR. APPELMAN: North Carolina.

NORTH CAROLINA: Yes.

MR. APPELMAN: U.S. Fish and Wildlife Service.

U.S. FISH AND WILDLIFE SERVICE: Yes.

MR. APPELMAN: National Marine Fisheries Service.

NATIONAL MARINE FISHERIES SERVICE: Yes.

MR. GARY: Mr. Chairman.

CHAIRMAN GROUT: The vote was ten in favor, five opposed. Yes.

MR. ABBOTT: **Having considered the amendment, I wish now to make a motion to table the main motion, which was to move initiate an addendum to reconsider management options in the Chesapeake Bay, blah, blah, blah.**

CHAIRMAN GROUT: Are you seconding that, Tom?

MR. FOTE: No, Martin was trying to get your attention.

Draft Proceedings of the Atlantic Striped Bass Management Board Meeting November 2015

MR. GARY: I'm sorry, Mr. Chairman, it was a miscue. I was actually not in favor of this. I don't know if we can correct it at this point.

MR. ABBOTT: I didn't hear that; what did he say?

CHAIRMAN GROUT: PRFC wants to change their vote to a no vote. Is there any objection to having that change made after we've finalized the vote? Without any objection, we'll reflect that it is now nine in favor, six opposed. **Do we have a second to the motion to table the underlying motion? Seconded by Pat Keliher.** Again, this is non-debatable and we want a roll call vote. I have had a roll call vote request. Do you need time to caucus? Seeing none; I will move forward with a roll call vote. Max.

MR. APPELMAN: Maine.

MAINE: Yes.

MR. APPELMAN: New Hampshire.

NEW HAMPSHIRE: Yes.

MR. APPELMAN: Massachusetts.

MASSACHUSETTS: Yes.

MR. APPELMAN: Rhode Island.

RHODE ISLAND: Yes.

MR. APPELMAN: Connecticut.

CONNECTICUT: Yes.

MR. APPELMAN: New York.

NEW YORK: Yes.

MR. APPELMAN: New Jersey.

NEW JERSEY: Yes.

MR. APPELMAN: Pennsylvania.

PENNSYLVANIA: Yes.

MR. APPELMAN: Delaware.

DELAWARE: Yes.

MR. APPELMAN: Maryland.

MARYLAND: No.

MR. APPELMAN: District of Columbia. (No response) Potomac River Fisheries Commission.

POTOMAC RIVER FISHERIES COMMISSION: Emphatically no.

MR. APPELMAN: Virginia.

VIRGINIA: No.

MR. APPELMAN: North Carolina.

NORTH CAROLINA: Yes.

MR. APPELMAN: U.S. Fish and Wildlife Service.

U.S. FISH AND WILDLIFE SERVICE: No.

MR. APPELMAN: National Marine Fisheries Service.

NATIONAL MARINE FISHERIES SERVICE: Yes.

CHAIRMAN GROUT: **Okay, the motion carries eleven to four.** It looks like we have an agenda item for the next meeting. Mike.

MR. LUISI: Mr. Chairman, I'll be brief. I know we've gone well over the time period scheduled for this part of the discussion. It is my understanding, based on your response to my question earlier, that the next planned assessment will be in 2018.

Given some of the comments that I heard around the table, I think there is an opportunity here to recommend that this board recommend to the Policy Board for a discussion – I believe the Policy Board meets tomorrow – to put a

Draft Proceedings of the Atlantic Striped Bass Management Board Meeting November 2015

turn-of-the-crank update on the agenda for next year so that we can begin to take a look and get some information on the 2015 results given a turn of the crank. I would make that recommendation and would hope that this board, with the comments that have been heard already, would support that.

CHAIRMAN GROUT: Are you making a motion?

MR. LUISI: If one is needed; yes, I can.

CHAIRMAN GROUT: I think it would be in this case because it would be a recommendation to the Policy Board that we do a turn-of-the-crank or an updated stock assessment in 2016 since it wasn't planned on at this point.

MR. LUISI: **Okay, I'd move what you just said, to recommend that the Striped Bass Board recommend to the Policy Board a turn-of-the-crank assessment update in 2016.**

CHAIRMAN GROUT: Is there a second to that?

MR. LUISI: It doesn't have to say a turn-of-the-crank in there but an assessment update.

CHAIRMAN GROUT: Seconded by Rob O'Reilly. Discussion on this motion? Rob.

MR. O'REILLY: I just think that based on the discussions we've had already this morning that it would be a good idea to see how these regulations have panned out. I know it is not going to be a benchmark; but again I think there is plenty of instances where updates have served well for management.

MR. WHITE: I guess I have a question for the bay states. With this motion, then would they be withdrawing their request to go to management action in February pending the outcome of this assessment?

CHAIRMAN GROUT: Mike, would you like to respond to that?

MR. LUISI: Well, since the result of the last debate and the tabling of the two motions that were on the floor have offset the timeline in my original motion a bit, what I can see is that this assessment update could inform an addendum. If we discuss this February and it is to pass, the assessment update could inform that addendum in some way.

Maybe 2016 now is out of the question. I was hoping 2016 would be the year for which changes could be made. We can discuss that in February if we have to amend the motion that comes back to the floor. The way I see this playing out is that an addendum is initiated in some manner to include the information from the assessment update so that a year from now we might have it all in front of us to make a decision.

CHAIRMAN GROUT: Before I go to you, Ritchie, based on your response, I have a question of Charlton and Katie. If we were to recommend this to the policy board and the policy board agreed to include this in the action plan, when do you think we could have the assessment update, and what does that do to any of the timeframes for the benchmark assessment?

MR. GODWIN: Traditionally when we did annual updates, the data is due to the technical committee about the middle of June and the earliest that we could have the results would be at the November Board Meeting for 2016. I'm not sure it would affect the benchmark at all. We'd already have the data for that year done so it shouldn't affect the benchmark.

MR. WHITE: I couldn't support this motion if the tabled motion is going to go forward. That would be unfair for the commission to possibly go down the road of an addendum and at the same time tasking the technical committee for extra work that might run in an opposite direction. If the bay states are willing to withdraw or commit to not going forward with the tabled motion, I would support this. Otherwise, I'll have to oppose it.

Draft Proceedings of the Atlantic Striped Bass Management Board Meeting November 2015

MR. ROY MILLER: Mr. Chairman, it occurs that we're moving towards Dr. Duval's original suggestion. If I recall it correctly, basically she suggested that we wait until 2017 to take action based on the 2016 updated stock assessment. I think at this point from what I'm hearing I think that's the direction we should be heading towards.

MR. GIBSON: I share some of Ritchie's thinking about the crossing of the tabled motion and the commitment from the policy board for an assessment update. On a technical basis the concern I have and I want to lay out for the board is if we do this, the first year of our new regulations will be the terminal year of the stock assessment, and it will be a single year of a regulatory change.

I'm wondering whether or not you could effectively evaluate that given the way you have to set up your selectivity blocks and things in the model. You'll have one year of significantly changed regulations that doesn't necessarily comport with the block you were in before. I just wanted to lay that out there and see if they concur with that; and if so, the board should understand that.

MR. FOTE: I guess people have short memories and I guess Ritchie has a short memory because we basically started Amendment 4 with the idea that we would have a benchmark assessment. We were moving ahead with the amendment at the same time we did not have a benchmark assessment. All we're asking is for the same thing here is to move forward with a – we could do this, so I'm not going to ask the bay to withdraw.

That's not what we've done before; and that's not what we did when Paul and New Hampshire and Maine said we start moving Amendment 4 two years ago, and let's be honest before the benchmark assessment came out and then we should be ready to plug it in. Well, what is good for one side is also good for the other side here. If it shows that we shouldn't do it, then we don't it, but we can move them parallel because

we've done that under Amendment 4. Let's not change the rules in the middle of the game.

MR. LUISI: From what I'm hearing and again as a result of the vote on the tabling of the two motions that were before us, I feel at this point the motion that I made originally is no longer valid. If we push it off into February and even further, 2016 is behind us at this point, in my opinion. Therefore, to gain favor to have this motion carry,

I could say that we – I don't know as far as Roberts Rules how you do that, but we would not pursue the original motion if we could take this to the policy board. If this would carry, the bay states would consider pulling that tabled motion from a future agenda item and we'd focus on 2017 as a result of the 2016 stock assessment.

CHAIRMAN GROUT: I'm not sure how to do this under Roberts Rules of Order either because we do have the tabled motion. I think clearly we have a statement that has been made by at least one state that made the motion that they would not pursue it at the February meeting. Mike.

MR. LUISI: I guess I'm looking to Rob and Marty and Rob as my seconder; I guess we could commit to withdrawing it when it comes back to the floor in February. We could make that commitment.

CHAIRMAN GROUT: Rob, would you be willing to agree at this meeting to withdraw it at the February meeting?

MR. O'REILLY: Yes.

CHAIRMAN GROUT: Thank you on that; and is there further discussion on this? Dennis.

MR. ABBOTT: Mr. Chairman, just as I was called for my previous motions on procedural issues, that motion belongs to the board and the maker and the seconder can't withdraw it.

Draft Proceedings of the Atlantic Striped Bass Management Board Meeting November 2015

CHAIRMAN GROUT: Valid point. Bob Beal.

EXECUTIVE DIRECTOR BEAL: Where the board is now is the motion – actually both motions that were tabled will come back up at the February meeting. They're the property of the board and the board will have to decide how they want to dispose those. If they want to vote those motions down at the February meeting, then those go away. I think procedurally it is still fine. Maryland and Virginia have indicated that they're willing to accept the board voting those down and then move forward with the stock assessment; but it will take a vote at the February meeting of the board to do that.

CHAIRMAN GROUT: Okay, is everybody clear on that; that we still are going to have to vote on the tabled motions at the February board meeting. We've had some indications from both Maryland and Virginia that they would not vote in favor bringing those motions forward. Are you ready to vote on this motion?

This motion is to move to recommend the ISFMP Policy Board adjust the 2016 stock assessment schedule to include a striped bass update in 2016. Motion by Mr. Luisi; seconded by Mr. O'Reilly. Okay, all states in favor raise your hand; all those opposed; abstentions; null votes. **The motion carries thirteen to two.** We do have one more agenda item here.

TECHNICAL COMMITTEE REPORT

If we're ready to move forward on to that, it is technical committee report from Charlton Godwin, our technical committee chair, on the fishing mortality reference points using two different time periods of selectivity. Again, this was something that bay jurisdictions had requested and the board approved tasking the technical committee to do this.

MR. GODWIN: This is a much shorter presentation and hopefully will not elicit as much discussion. This is the striped bass fleet-specific fishing mortality reference points. For background, the stock assessment has three

fleets; the Chesapeake Bay Fleet, the Ocean Fleet and the Commercial Discard Fleet.

The technical committee chose a five-year time period, 2008 through 2012, for calculating coast-wide biological reference points and the 2013 benchmark assessment. The technical committee recommended reference points for management use in Addendum IV adopted those management points there on the screen.

After the benchmark assessment, the technical committee was tasked to develop Chesapeake Bay specific reference points. The technical committee developed a methodology to define fleet-specific fishing mortality reference points so that the impact of each fleet on the total coast-wide population would keep the population sustainable.

The technical committee discussed the selectivity time period extensively during the development of the fleet-specific reference points and chose the five-year period. As you remember upon review in August, the board expressed an interest in seeing the 17-year selectivity developed for the reference points as well.

Just as an example, to calculate these bay fleet-specific reference points, the ratio of the fishing mortality at age five in the Chesapeake Bay Fleet to the total coast-wide fishing mortality at age five was calculated. That is that first portion. Then this ratio was multiplied by the coast-wide target – that is the second element there – and then is multiplied by the composite selectivity fleet at age five to obtain the fleet-specific F target and threshold values for the three fleets.

The same thing was done for the commercial discard fleet, also using that ratio of F at age five; and for the ocean fleet the ratio of F at age 12 was used in these calculations for these fleet-specific reference points. These are the differences between the two methodologies; 17-year period on the left there and the 5-year period on the right.

Draft Proceedings of the Atlantic Striped Bass Management Board Meeting November 2015

You will notice that we have pulled these out to three decimal places because the difference for some fleets, such as the coast-wide fleet, if it was at two decimal points, it would be exactly the same. Typically we see these F targets at two decimal points. Although the level of precision was not actually examined, it is pretty unreasonable to expect that the difference between -- you know, there is a statistical difference between either one of these two reference points or that we could actually measure the mortality to that third decimal place level in stock assessments.

You will notice, however – and we touched on this earlier – the one fleet to where there is the larger difference is the commercial discard fleet using the five-year selectivity versus the seventeen-year selectivity. That one changed more than the others; and this is the reason. We talked about it earlier with that increase in trend of recent estimates of commercial discards.

Whether that's accurately tracking the population or not is one thing; but the fact that it is used in the methodology, that is what is causing that difference in the seventeen-year versus that five-year block for the target reference points. As we mentioned before, this is the least reliable estimate due to the methodology for calculating the commercial discards.

It is also important note that we do not separate the commercial discards out between the Chesapeake Bay and the ocean fisheries; and I'm not sure that we would be able to. Potential management issues; those ones raising all this would still exist regardless of which time period is selected. If the bay and the ocean fleets fish at their targets, the coast-wide population could still experience overfishing if the discard F increases.

It is hard to control that discard F, first of all, because we don't have a real precise way of estimating it. It is a result of regulations in directed fisheries; so to reduce F on the discard

fleet, you would have to loosen regulations in the directed fisheries. Vice-versa, if you loosen the regulations on the directed fisheries, you would effectively increase F in the bay and the ocean fisheries; so you're just kind of redistributing that F around and not really reducing it from the commercial discards.

I guess for board discussion should the board initiate an addendum for the fleet-specific reference points, what management triggers would be associated with the fleet-specific reference points. What would be the role of the coast-wide reference points in relation to the fleet-reference points? If one fleet is exceeding its target or threshold but the total F is below the coast-wide target or threshold, what would the management action be? These are just kind of bullets for board discussion and consideration? I think with that, we'll take any questions.

MR. O'REILLY: I appreciate the efforts undertaken to look at these two stanzas of selectivity essentially. I'm certainly aware of some comments by Mark Gibson last time in terms that were mentioned today differently about the blocks where you have the selectivity changes. With the board's indulgence, I would just like to say we're not there yet.

We did not know that completely until we asked for this analysis. The reason I say we're not there yet is for many reasons. More than anything else, I think the bay jurisdictions miss having some degree of management autonomy that these jurisdictions had from 1997 through 2014 in using the harvest control model.

I think that the desire to once again have that autonomy – and we know we're in a coast-wide approach. We know that, but we also know there are differences in the bay and everyone knows that as well. The desire is one where there have been many attempts to go after this reference point for the bay; and we still want to go after this reference point today; just not make the decision on it. We want to go forward.

Draft Proceedings of the Atlantic Striped Bass Management Board Meeting November 2015

In May of 2014, in the memo that the board received, it said the technical committee considered a set of reference points based on SSBR conservation equivalency, but this methodology does not adequately take into account coastal harvest or the skewed sex ratio of the Chesapeake Bay harvest. Also in that memo is an indication that there is not a sex-based model.

If you recall the many who testified or gave comments starting in October of 2013, one of the biggest issues was the skewed sex distribution, the fact that you heard over and over again that there were probably 70 percent males in the Chesapeake Bay. I think there is probably a little less, but Maryland is a little higher.

The fact that the board expected reducing the Chesapeake Bay to have an effect on female spawning stock biomass overall may not pan out. This seems to have been slightly put aside in the process, but it is still what everyone wants. Everyone wants the treatment of the sex distribution; and that's going to take a little bit more work.

However, the technical committee previously said that would be where the direction went. Now, we realize that we have this fleet-based approach; so there is going to be a few complications because we're still not where the board has wanted to be for 20 some years, which on stock-specific reference points.

We think we can certainly have an improvement. Obviously, the analysis was important. I brought up the commercial discard situation earlier. That definitely has an impact. Maybe they haven't been separated, but there is no doubt that the removals at that age five, we're looking at in the short timeframe a more pronounced effect of the commercial discards. The other part of this is we need time. We needed time before. We were impatient before; don't blame us.

We've had a management regime for 17 years; so please understand that we want to get back to something that we had before; but we need time to develop this. Now with the fact that there will be an updated assessment, we hope if the policy board agrees, sometime in 2016 for 2017. We have that time.

You don't just step out the door and start managing a three-jurisdiction quota without having a little time to align and figure out how that's going to occur. The other part of this is the whole situation with reference points; we probably could have had a reference point in 2014, going through the addendum process.

Katie Drew had one approach; Alexei Sharov had another. They did differ. They differed even a little bit more than the results coming out now. Again, if you heard Mr. Brown today, he said it before it I did, we want to get it right. We don't want an interim reference point that we have to then suffer through later on and say, well, what about everything that we told the board about the skewed sex ratio? We want to get to that point.

We have met, we have talked about this, we have disseminated our thoughts to our fishing industry members and everyone is in concurrence that this is what we wish to do. Again, thank you for taking the time, the extra efforts. It was educational. It did help our dialogue, but we're committed to the sex-based approach for the reference point.

MR. FOTE: I think I've been talking about this for more than ten years or fifteen years that we really get it to a point where we actually can basically decide what the contribution is of the Hudson River stocks, the Delaware stocks and the Chesapeake Bay to the coastal migratory stocks. We've basically made assumptions 20-something years ago or 25 years ago; and we basically we looked at it at that point in time the Delaware Bay and Delaware River was not a big contributor to the point they are today to the coastal migratory.

Draft Proceedings of the Atlantic Striped Bass Management Board Meeting November 2015

We need to basically separate that. This helps, but I don't know, Rob, because I've been waiting 20 years and we've always fiddled with it. I don't know if we can do it in time, but I'm hoping that at least we get it done by the benchmark assessment where we start assessing values to those stocks and what are they contributing.

There is a couple of years where the Chesapeake Bay is not producing that the Delaware River is a bigger contributor, especially what is caught in the coast off of New Jersey and Delaware. I want to get a feeling on that; because if any of those stocks, whether something happens in the Delaware River or something happens in the Hudson River, some catastrophic event, we need to take that into consideration.

We're all supposed to basically manage the stocks on the river or the system, the producing area that was having the problem and basically cover it across the lines because we want to try and protect that. Because we didn't have the data on the other two, we always did it just for the Chesapeake Bay. I want to make sure that is where we're going in – because I've been yelling at it since 1992. Hopefully, we can start moving the lines. I think we're in agreement here and I think that's what we all want.

CHAIRMAN GROUT: Are there any questions for Charlton? Charlton, you had a comment you wanted to make and then I'll go to you, Martin.

OTHER BUSINESS

MR. GODWIN: I just wanted to remind the board members here as the Interstate Fisheries Management Policy Board discusses the motion to do an assessment, we have talked about the sex-specific benchmark for 2018. We've talked about trying to get stock-specific reference points rather than just fleet-specific.

If we're doing an assessment in 2016, an update, then we're not doing some of these other things. Now, I'm not saying that we – you

know, it is hard to tell how much time it is going to take to get the sex-specific data on the stock; but I'm just saying keep it in mind that if we're working on an assessment update in 2016, updating the current model, then we won't be working on those other things.

MR. GARY: Thank you, Dr. Drew, and your staff for your good work on splitting these out so we could look at this at the request of the bay jurisdictions. Thanks to the board for allowing the bay jurisdictions to explore this. I just want to support Rob's comments about how important the sex differentiation is.

I know a lot of folks around the table are very fluent on the past and the way the harvest control model worked in the bay and the life history of the striped bass, but there are a lot of newer members – and I know because I've talked to them over the past few days – that aren't really knowledgeable about how important the sex differentiation is.

Just as a reminder to those that know and for those that don't, even though the emigration of pre-migrant striped bass in the Chesapeake Bay is an imprecise science, the technical committee did use the Crecco et al analysis under the harvest control model that showed that the fish in general at least gets you in the ballpark.

By their second year of growth in the Chesapeake Bay, males are migrating consistently at 30 percent probability; females at a 50 percent probability; and by age 8 it is a 100 percent probability. That is what was used; and the end result of that is the bay is fishing – by the time we're in the exploitable range, we're fishing on, as Rob said, 70 percent probably on the low end.

I know the fishery-dependent samples that have been taken from PRFC jurisdictional waters are 85 to 93 percent males; so it is vitally important that we get to the point where the differentiation by sex is incorporated. I wanted to thank the board for their support and hopefully we can get there.

Draft Proceedings of the Atlantic Striped Bass Management Board Meeting November 2015

CHAIRMAN GROUT: Okay, any other comments on this particular agenda item? Seeing none; I'm wondering if we might be able to postpone Wilson's update until the February meeting since we're running about 15 minutes behind schedule. We could actually make it a formal agenda item at that meeting, if you'd like. Could we do that.

DR. MILLARD: That would be fine; thank you, Mr. Chairman.

ADJOURNMENT

CHAIRMAN GROUT: Thank you very much. Is there any other items to come before the board at this meeting? Seeing none; I'll take a motion to adjourn. Thank you very much.

(Whereupon, the meeting was adjourned at 10:10 o'clock a.m., November 4, 2015.)



The Maryland Watermen's Association, Inc.

October 20, 2015



As a non-profit that has represented the interests of the commercial fishing industry in Maryland for over 42 years, the Maryland Watermen's Association is opposed to the Atlantic States Marine Fisheries Commission's 20.5 percent rockfish harvest reduction imposed in the state of Maryland.

To begin with, when determining the biological reference points used in their assessment of Atlantic striped bass stocks which were used in deciding the harvest reduction, the ASMFC did not use any data specific to the Chesapeake Bay, but rather they only used data from coastal waters. Unlike other waters along the East Coast, the Chesapeake Bay has a resident stock of rockfish which do not leave the Bay. To date, no Bay-specific study has been conducted and no Bay-specific reference points have been determined.

At the time the reduction was imposed we were told it was to ensure that female rockfish stocks would not be diminished within the next few years. According to the Maryland Department of Natural Resources (DNR), 70 to 90 percent of the striped bass that are harvested from the Bay between June and January are males. The three months that female rockfish are in the Bay corresponds with the time the commercial season is closed. Maryland is already doing what it needs to protect the female stock, therefore to impose a reduction which at its core is meant to protect the female spawning stock is completely unnecessary. Just last week, DNR announced that the 2015 striped bass juvenile index is the eighth highest on record.

The reduction has had a detrimental economic impact throughout the state of Maryland, not only in watermen communities, but to our local economies and to industries that depend upon ours. We urge the ASMFC to reconsider the 20.5 percent rockfish reduction on Chesapeake Bay states until they come up with Bay-specific reference points.

Best,

Robert T. Brown, Sr.
President
Maryland Watermen's Association

From: DENROKEL45@aol.com
Sent: Wednesday, October 28, 2015 6:56 PM
To: Max Appelman
Subject: (no subject)

DEAR SIR as FISHERY MANAGMENT COORDINATOR for striped bass a lot more needs to be done ASMFC waited to long to do something on the striped bass ,striped bass have been on a rapid decline since 2006 , 2015 is my worst yr in all my yrs of fishing , 2011 was said to be a good yoy I saw VERY few of these bass in NY , 2012 YOY was a record low ASMFC has to make a MAJOR move , a 25 % REDUCTION of nothing is nothing ,hopping you can coordinate a much bigger move on striped bass management THANK YOU DENNIS KELLY



Atlantic States Marine Fisheries Commission

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

MEMORANDUM

January 19, 2016

To: Atlantic Striped Bass Management Board
From: Atlantic Striped Bass Technical Committee (TC)
Law Enforcement Committee (LEC)
RE: TC and LEC Comments on Maryland's and the Potomac River Fisheries
Commission's Conservation Equivalent Management Proposals for 2016

Maryland and the Potomac River Fisheries Commission submitted Addendum IV conservation equivalent management proposals for their 2016 recreational fisheries which requires TC and LEC comment for Board consideration. The TC and LEC met separately via conference call to review the proposals. The following bullets present an overview of the proposals and consensus recommendations from each committee.

Proposal Overview

- All but one of Maryland's (MD) proposed regulations had already been reviewed and approved by the TC prior to implementation in 2015.
- The other option was adopted from Delaware's (DE) conservation equivalency proposal for MD's coastal recreational fishery. Although this option had been previously approved by the TC for use in DE, it had not yet been approved for use in MD.
- The Potomac River Fisheries Commission (PRFC) stated that they would match whatever MD implements for their Chesapeake Bay fisheries and asked for TC approval to follow suit.

Striped Bass Technical Committee

- The TC approved both MD's and PRFC's proposal with consensus.

Law Enforcement Committee

- The LEC supports regulations that are consistent among adjacent states and jurisdictions, which is a general enforcement precept of the *ASMFC Enforceability Guidelines (2015)*.
- The LEC supports this conservation equivalency proposal because it would provide more consistent recreational harvest regulations among the jurisdictional areas of MD, DE and PRFC. A lack of consistency with Virginia's (VA) regulations is not a concern due to distance and the rarity of VA vessels in these waters.
- LEC members recommend a review and potential regulatory clarification of fish-measurement procedures in the affected states, using either total length (TL) or fork length (FL). This would aid enforcement and adherence to adopted slot limits.

Enclosed: Maryland's 2016 Management Proposal
Potomac River Fisheries Commission's 2016 Management Proposal

Maryland's Atlantic Striped Bass Addendum IV Implementation Plan for 2016

Summary of Proposed Measures

Recreational Fishery

State	Size Limits	Bag Limits	Other	Open Season
Maryland Atlantic & Coastal Bays Fishery	28" min	1	<u>Current Add IV Regulation</u> ; Option B1 from Add IV	Jan 1 – Dec 31
	28-38" or ≥44"	2	<u>New</u> ; TC approved proposal for DE conservation equivalency	Jan 1 – Dec 31
	33" min	2	Option B5 from Add IV	Jan 1 – Dec 31

Maryland Chesapeake Bay Trophy Fishery	28-36" or ≥40"	1	<u>Current Add IV Regulation</u> ; TC approved proposal from previous MD plan (Option 3e)	3 rd Saturday of April – May 15
	36" min	1	TC approved proposal from previous MD plan (Option 3a)	3 rd Saturday of April – May 15
	36" min, charter boats allowed 1 fish 28-36"	1	TC approved proposal from previous MD plan (Option 3b)	3 rd Saturday of April – May 15

Maryland Chesapeake Bay Summer/Fall Fishery*	20" min, only one can be over 28"	2	<u>Current Add IV Regulation</u> ; Option C4 from Add IV with 5 day season extension	May 16 – Dec 20
	18" min	1	Option B10 from Add IV	May 16 – Dec 15

*A third, conservationally equivalent option separating the charter and private recreational fleets may be proposed for TC approval at a later date using the same methods as detailed in TC memo (M14-110) after more stakeholder input is obtained.

Commercial Fishery

- All commercial regulations would remain the same from Maryland's previously submitted and approved Addendum IV implementation plan.

Explanation for Changing Regulations

Based on recreational stakeholder comments following the 2015 fishing season, Maryland is considering changing the recreational striped bass fishing regulations for the 2016 season. All currently proposed regulations were either options previously contained in Addendum IV or

options that have already been reviewed and approved by the Striped Bass Technical Committee and Management Board as being conservationally equivalent.

While the alternative Chesapeake Bay fishing regulations have been previously approved for use in Maryland, the use of Delaware's conservation equivalency proposal has not been approved for use in Maryland. Maryland's coastal anglers have requested that regulations be consistent between the two states but Maryland's Atlantic Ocean data is too poor to conduct our own conservation equivalency calculations. According to MRIP, Maryland's ocean harvest from 2011-2013 has ranged from 255-8,654 fish. Examining the raw length data from MRIP, including imputed lengths, 25 ocean fish were measured in Maryland in 2011-2013, not enough to accurately characterize the ocean length frequency. Many more fish are measured from inland MRIP sampling but most of those lengths come from Chesapeake Bay where regulations are very different from the ocean and coastal bays. Due to the lack of data and the desire to have consistent regulations between the states, Maryland requests approval to adopt Delaware's Addendum IV regulations for the 2016 fishing season.

Timeline for Implementation

As of this time, Maryland has not finalized which regulations would be chosen for the 2016 season as final stakeholder input is still being obtained from the charter boat industry and our Sport Fisheries Advisory Commission, set to meet in January 2016. Should Maryland decide to change any regulations for 2016, the measures would be implemented prior to the start of the 2016 recreational fishing season.

Potomac River Fisheries Commission
Atlantic Striped Bass Addendum IV Implementation Plan for 2016

Summary of Proposed Measures

Recreational & For Hire Fisheries

PRFC	Size Limits	Bag Limits	Other	Open Season
------	-------------	------------	-------	-------------

PRFC Trophy Fishery	28-36" or >40"	1	<u>Current Add IV Regulation</u> ; TC approved proposal from previous MD plan (Option 3e)	3 rd Saturday of April – May 15
	36" min	1	TC approved proposal from previous MD plan (Option 3a)	3 rd Saturday of April – May 15
	36" min, charter boats allowed 1 fish 28-36"	1	TC approved proposal from previous MD plan (Option 3b)	3 rd Saturday of April – May 15

PRFC Summer/Fall Fishery*	20" min, only one can be over 28"	2	<u>Current Add IV Regulation</u> ; Option C4 from Add IV with 5 day season extension	May 16 – Dec 31
	18" min	1	Option B10 from Add IV	May 16 – Dec 31

*A third, conservationally equivalent option separating the for hire and private recreational fleets may be proposed for TC approval at a later date using the same methods as detailed in TC memo (M14-110) after more stakeholder input is obtained.

Commercial Fishery

- **All commercial regulations would remain the same from PRFC's previously submitted and approved Addendum IV implementation plan.**

Explanation for Changing Regulations

PRFC has historically sought regulatory consistency with the State of Maryland with regard to its Striped Bass regulations. This, to accommodate law enforcement concerns, and to avoid stakeholder confusion. Maryland is considering changing the recreational striped bass fishing regulations for the 2016 season. PRFC would like to maintain the same suite of possible options for adoption after conferring with our stakeholders. All currently proposed regulations by Maryland were either options previously contained in Addendum IV or options that have already been reviewed and approved by the Striped Bass Technical Committee and Management Board as being conservationally equivalent.

The alternative Chesapeake Bay fishing regulations have been previously approved for use in Maryland and PRFC.

Although the Potomac River does not have an MRIP specific harvest estimate, additional data is not expected to be required under any of the options which are being requested.

Timeline for Implementation

As of this time, PRFC has not finalized which regulations would be chosen for the 2016 season as final stakeholder input is still being obtained from PRFC's Fin Fish Advisory Committee, which is scheduled to meet on January 27, 2016 and the full Potomac River Fisheries Commission, which is scheduled to meet on March 4, 2016. Should PRFC decide to change any regulations for 2016, the measures would be implemented prior to the start of the 2016 recreational fishing season.