



# **Atlantic Striped Bass Draft Amendment 7 Public Comment Summary**



Atlantic Striped Bass Management Board

May 4, 2022

# Outline



- Background and Timeline for Draft Amendment 7
- Four issues and proposed options: public comment summary and AP recommendations
  - Rebuilding Plan
  - Management Triggers
  - Recreational Release Mortality (with LEC input)
  - Conservation Equivalency
- **Board discussion after each issue**



# Background: Amendment 7



- The last plan amendment to the Striped Bass FMP was adopted in 2003 (Amendment 6)
- The status and understanding of the striped bass stock and fishery has changed considerably
- 2018 Benchmark Stock Assessment indicated the striped bass stock is overfished and experiencing overfishing
- Management triggers tripped requiring action to address both overfishing and the overfished status of the stock



# Background: Amendment 7



- In April 2020, the Board implemented Addendum VI to Amendment 6 to end overfishing (designed to achieve 18% reduction in coastwide removals)
- In August 2020, the Board initiated **Amendment 7**:
  - update the management program to better align with current fishery needs and priorities
  - build on the Addendum VI action to initiate stock rebuilding



# Background: Amendment 7



- In January 2022, the Board approved Draft Amendment 7 for public comment with proposed options to address:
  - Management Triggers
  - Recreational Release Mortality
  - Rebuilding Plan
  - Conservation Equivalency



# Amendment 7 Timeline



August 2020	Board initiated Amendment 7
February 2021	Board reviewed Draft Public Information Document (PID) and approved PID for public comment
February - April 2021	Public comment on PID
May 2021	Board reviewed public comment; directed Plan Development Team to develop Draft Amendment
May - December 2021	Preparation of Draft Amendment
January 2022	Board reviewed and approved Draft Amendment for public comment
February - April 2022	Public comment on Draft Amendment
May 2022	Board reviews public comment and selects final measures for the Amendment; Policy Board and Commission approve the Amendment <b>Current Step</b>

*Note: The timeline is subject to change per the direction of the Board.*

# Board Meeting Today



**Board actions for consideration: select management options, implementation dates; approve final document**

Section 4.1 Management Triggers

Section 4.2.2 Recreational Release Mortality

Section 4.4 Rebuilding Plan

Section 4.6.2 Conservation Equivalency

Section 4.10 Recommendation To The Secretary Of Commerce For Complementary Measures in Federal Waters

Section 5.2 Compliance Schedule



# Draft Amendment 7 Components



## Which management measures are staying the same?

*(Note: measures may change in the future)*

- Draft Amendment 7 maintains the same recreational size and bag limit as specified in Addendum VI:  
*Ocean: 1 fish at 28- $<$ 35" and Bay: 1 fish at 18" minimum*
- Draft Amendment 7 maintains the same commercial size limits and commercial quota allocations as specified in Addendum VI (18% quota reduction from Add IV)
- Approved Addendum VI CE programs and state implementation plans are maintained for these measures until measures are changed in the future (e.g., following the 2022 stock assessment)



# Draft Amendment 7 Components



- If measures are changed in the future (e.g., following the 2022 stock assessment), new state implementation plans and new CE proposals (if applicable) would be required
  - The Chesapeake Bay spring trophy fishery is part of the ocean fishery for management purposes because it targets coastal migratory striped bass
  - Chesapeake Bay spring trophy fishery would be subject to the same requirements as the ocean fishery



# Proposed Options



- Draft Amendment 7 proposes options to address:
  - Section 4.1 Management Triggers
  - Section 4.2.2 Recreational Release Mortality
  - Section 4.4 Rebuilding Plan
  - Section 4.6.2 Conservation Equivalency
- **Review options, public comment summary, AP recommendations, LEC input (rec release mortality)**
- **Start with Rebuilding Plan (section 4.4)**
- **Board discussion after each issue**



# Written Public Comment Overview



- Public comments accepted through April 15, 2022
- 4,689 written comments received:
  - 1,149 individual comments
  - 3,397 comments through 25 form letters
  - 51 organizations submitted comments (one letter with 92 supporting businesses/organization signatories)



# Public Hearing Overview



- 12 public hearings were held for 11 jurisdictions in March 2022
- 8 webinar only; 3 in-person; 1 hybrid format
- 493 people attended the hearings
  - Not including state staff, Commissioners/Proxies, ASMFC staff
  - Some people attended and commented at multiple hearings
- Polls/shows of hands used at most hearings for some options



# AP and LEC Input



- Striped Bass Advisory Panel (AP) met twice via webinar in April 2022 to discuss AP input on all proposed options
- Law Enforcement Committee (LEC) met via webinar in April 2022 to discuss input on options addressing recreational release mortality





# Section 4.4

# Rebuilding Plan



# Stock Rebuilding



## Statement of the Problem

- Stock is overfished and the Board must adjust management to rebuild SSB to the target by no later than 2029
  - Add VI measures expected to contribute to rebuilding
- Concern about recent low recruitment and potential impact of low recruitment on stock rebuilding
- TC analysis identified 2007-2020 as a low recruitment period (regime)



# Stock Rebuilding



- **2022 stock assessment update expected in October**
  - Update reference point values, evaluation of stock status with terminal year 2021, **stock projections**
  - Account for two years of data under Addendum VI (2020-2021)
  - **Calculate F rate required to rebuild female SSB to the target by no later than 2029 (F rebuild)**



# Rebuilding Plan Options



## Two sets of options related to the 2022 assessment considering:

- which recruitment assumption to apply to stock rebuilding calculations
- how the Board could respond to the 2022 assessment if action is needed to achieve stock rebuilding by 2029





**Option A. Standard Recruitment Method (Status Quo):** Rebuild female SSB to the SSB target level by no later than 2029. F rebuild is calculated to achieve the SSB target by no later than 2029 using the standard recruitment method from the stock assessment.

- Projections estimate future recruitment based on values from 1990-forward



**Option B. Low Recruitment Assumption (More Conservative):** Rebuild female SSB to the SSB target level by no later than 2029. F rebuild is calculated to achieve the SSB target by no later than 2029 using the low recruitment regime assumption.

- Projections estimate future recruitment based on the low recruitment period only
- More conservative approach; more restrictive management measures may be required to rebuild the stock by 2029

# Responding to 2022 Assessment



**Option A. Addendum (likely implemented 2024) (SQ):** If the 2022 stock assessment results indicate the Amendment 7 measures are not projected to achieve stock rebuilding by 2029 (as calculated using the recruitment assumption specified in Amendment 7), the Board would initiate and develop an addendum to consider adjusting management measures to achieve F rebuild.

- Addendum could be approved May 2023; likely implementation 2024
- Public comment: public hearings and written public comment



# Responding to 2022 Assessment



**Option B. Board Action (likely implemented 2023):** If the 2022 stock assessment results indicate the Amendment 7 measures have less than a 50% probability of rebuilding the stock by 2029 (as calculated using the recruitment assumption specified in Amendment 7) and if the stock assessment indicates at least a 5% reduction in removals is needed to achieve F rebuild, the Board may adjust measures to achieve F rebuild via Board action.

- If Board motion passed in 2022, likely implemented 2023
- Public comment: provided during Board meeting and/or written comment submitted prior to Board meeting



# Rebuilding Plan Comments



	<b>Recruitment Assumption for 2022 Assessment</b>	
	<b>A. Standard Recruitment Method SQ</b>	<b>B. Low Recruitment Assumption</b>
<b>Written Total</b>	<b>12</b>	<b>4,052</b>
<b>Hearing Total</b>	<b>114</b>	<b>165</b>

- Majority favored option B (low recruitment assumption) to take the most conservative approach to rebuild the stock; support for a conservative, aggressive rebuilding plan
- Those in support of the standard recruitment method noted natural variability of recruitment from year-to-year



# Rebuilding Plan Comments



	<b>Board Response to 2022 Assessment (if reduction needed)</b>	
	<b>A. Addendum process SQ</b>	<b>B. Board Action process</b>
<b>Written Total</b>	<b>14</b>	<b>4,047</b>
<b>Hearing Total</b>	<b>107</b>	<b>164</b>

- Majority favored option B (Board action) process, noting the importance of quick action to rebuild
- Those in support of the Addendum process (A) noted importance of thorough public comment process and sufficient time for analysis



# AP: Rebuilding Plan



## Recruitment Assumption for 2022 Assessment

- 3 AP members support both A and B to compare results from both the standard method and low recruitment assumption
- 6 AP members support option B (low recruitment) considering the concern from recent observed low recruitment

## Responding to 2022 Assessment

- No stated support for option A (addendum process)
- 8 AP members support option B (Board action) to respond quickly if needed; opportunities for public comment and AP input during this process are important



# Questions on Rebuilding Plan?

- Options for Recruitment Assumption for 2022 assessment
- Options for how the Board responds to 2022 assessment if needed



# Section 4.1

# Management Triggers



# Management Triggers



## **Statement of the Problem: Shortfalls of current triggers**

- When SSB is below the target, variable fishing mortality can result in continued need for management action
- Shorter timetables for corrective action are in conflict with the desire for management stability
- Changes to management before stock can respond to previous management measures
- Use of point estimates does not account for uncertainty
- Long periods of below average recruitment raise question about recruitment trigger



# Management Triggers



**Options consider how to set the management triggers in Amendment 7 (whether to change the status quo triggers)**

- Tier 1: Fishing Mortality (F) triggers
- Tier 2: Spawning Stock Biomass (SSB) triggers
- Tier 3: Recruitment Trigger
- Tier 4: Deferred Management Action



# Management Triggers



**Options consider how to set the management triggers in Amendment 7 (whether to change the status quo triggers).**

- Tier 1: Fishing Mortality (F) triggers → **Evaluated every 2-3 years**
- Tier 2: Spawning Stock Biomass (SSB) triggers ↗ **(stock assessments)**
- Tier 3: Recruitment Trigger → **Evaluated every year (juvenile abundance index)**
- Tier 4: Deferred Management Action ↘ **Does the Board need to respond immediately to a trigger?**

# Tier 1: F Triggers



## Option A. Timeline to Reduce F to Target

If F trigger is tripped, adjust management to reduce F to the target...

**A1.** within 1 year (SQ)

**A2.** within 2 years



# Tier 1: F Triggers



## Option B F threshold trigger is tripped if:

**B1.** F exceeds threshold in most recent year (overfishing is occurring) (SQ)

**B2.** 2-year average F exceeds threshold (*average of 2 years under the most recent action*)

## Option C: F target trigger is tripped if:

**C1 (SQ).** F exceeds the F target for 2 consecutive years and female SSB is below SSB target in either year

**C2.** F exceeds the F target for 3 consecutive years

**C3.** No trigger related to F target



# F Triggers Comments



	Reduce F to the target	
	A1. 1 year SQ	A2. 2 years
Written Total	4,124	25
Hearing Total	226	82

- Most support for status quo A1 reducing F to target within 1 year, noting the Board should respond promptly to triggers



# AP: F Triggers



## Timeline to Reduce F to Target

- 10 AP members for A1 (reduce F in 1 year)
  - Public indicates they don't want to extend timelines
- 5 AP members for A2 (reduce F in 2 years)
  - Flexibility to reach target is acceptable
  - MRIP uncertainty
  - Difficult to implement regulations in 1 year for some states
  - Management stability (avoid 'knee-jerk')



# F Triggers Comments



	F threshold trigger		F target trigger		
	B1. F > threshold SQ	B2. 2-yr avg F > threshold	C1. F > target for 2 years and SSB < target SQ	C2. F > target for 3 consec. years	C3. No trigger for F target
<b>Written Total</b>	<b>4,093</b>	<b>17</b>	<b>4,086</b>	<b>8</b>	<b>7</b>
<b>Hearing Total</b>	<b>56</b>	<b>1</b>	<b>53</b>	<b>0</b>	<b>1</b>

- Most comments favored the status quo B1 and C1 triggers, noting the status quo triggers are adequate and action should not be delayed



# AP: F Triggers



## F Threshold Trigger

- 10 AP members support B1 ( $F > \text{threshold}$ )
  - Take action if overfishing; public wants conservative action
- 5 AP members support B2 (2-yr avg  $F > \text{threshold}$ )
  - MRIP uncertainty and fluctuation of  $F$

## F Target Trigger

- 14 AP members (unanimous) for C1 status quo
- General AP recommendation to maintain target triggers
  - Gap between target and threshold may increase
  - Ensure managing to  $F$  target to avoid unintended consequences from MRIP variations



# Tier 2: SSB Triggers



## Option A. Deadline to Implement Rebuilding Plan

If SSB trigger is tripped, management must be adjusted to rebuild SSB to the target within 10 years

**A1.** No Deadline to Implement Rebuilding Plan (SQ)

**A2.** 2-Year Deadline to Implement Rebuilding Plan



# Tier 2: SSB Triggers



## Option B. SSB threshold trigger trips if:

**B1 (SQ).** SSB falls below the threshold (stock is overfished)

**B2.** No trigger related to SSB threshold

*Note: There must be at least one SSB trigger.*

## Option C. SSB target trigger trips if:

**C1 (SQ).** SSB falls below SSB target for 2 consecutive years and  $F$  exceeds  $F$  target in either year

**C2.** SSB falls below the SSB target for 3 consecutive years

**C3.** No trigger related to SSB target



# SSB Triggers Comments



	<b>Deadline to have rebuilding plan</b>	
	<b>A1. No deadline SQ</b>	<b>A2. 2-yr deadline</b>
<b>Written Total</b>	<b>13</b>	<b>4,101</b>
<b>Hearing Total</b>	<b>0</b>	<b>49</b>

- Most comments support option A2 (2-year deadline for rebuilding plan), noting the Board should have designated a formal rebuilding plan more quickly after last assessment



# SSB Triggers Comments



	SSB threshold trigger		SSB target trigger		
	B1. SSB < threshold SQ	B2. No trigger for SSB threshold	C1. SSB < target for 2 years & F > target SQ	C2. SSB < target for 3 consec years	C3. No trigger for SSB target
<b>Written Total</b>	<b>4,086</b>	<b>9</b>	<b>3,550</b>	<b>275</b>	<b>251</b>
<b>Hearing Total</b>	<b>56</b>	<b>0</b>	<b>40</b>	<b>11</b>	<b>1</b>

- Most favored the status quo SSB trigger definitions B1 and C1, noting status quo triggers are adequate and both the target and threshold triggers should be maintained
- Some support for either changing the target trigger to only consider SSB levels (C2) or eliminating the target trigger (C3)



# AP: SSB Triggers



## Deadline to Implement Rebuilding Plan

- 14 AP members (unanimous) for A2 (2-yr deadline) to take quick action to rebuild

## SSB Threshold Trigger

- 14 AP members (unanimous) for B1 (SSB < threshold)
  - Act if overfished; public wants conservative management

## SSB Target Trigger

- All except 1 AP member support C1 status quo
  - Maintain target triggers; SSB could decline due to factors besides F (e.g., environmental factors and recruitment)
- 1 AP member supports C3: no trigger for SSB target; focus on F which managers can control



# Tier 3: Recruitment Trigger



## Tier 3. Recruitment Trigger

A. Definition of Recruitment Trigger

B. Response to Recruitment Trigger

The recruitment trigger is evaluated every year based on juvenile abundance indices.

*During years when stock assessments are conducted, the recruitment trigger should be evaluated concurrently, when possible, with the  $F$  and female SSB triggers when assessment results are presented to the Board.*



# Tier 3: Recruitment Trigger

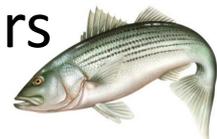


## Option A. Recruitment Trigger Definition

**A1. Low Sensitivity Status Quo (tripped 1 time since 2003):** Any JAI (ME, NY, NJ, MD, VA, NC) is below 25<sup>th</sup> percentile of reference period (1950s/1980s-2009) (i.e., recruitment failure) for 3 consecutive years

**A2. Moderate Sensitivity (would have tripped 3 times since 2003):** Any of the four core JAIs (NY, NJ, MD, VA) is below the 25<sup>th</sup> percentile of values from 1992-2006 for 3 consecutive years

**A3. High Sensitivity (would have tripped 6 times since 2003):** Any of the four core JAIs (NY, NJ, MD, VA) is below the median of values from 1992-2006 for 3 consecutive years



# Tier 3: Recruitment Trigger



## Option B. Management Response to Recruitment Trigger

**B1. Most Flexible Response (SQ):** the Board reviews recruitment trigger data and determines appropriate action

**B2. Most Conservative Response (may require action to reduce F more often):** calculate interim F target using low recruitment assumption. If F is greater than interim F target, reduce F to interim F target within 1 yr.

**B3. Moderately Conservative Response (may require action to reduce F):** calculate interim F target and interim F threshold using low recruitment assumption. Reevaluate defined F triggers using interim F reference points; if F trigger is tripped upon reevaluation, reduce F to the interim F target within timeline defined in Tier 1.

# Recruitment Trigger Comments



	Recruitment Trigger Definition		
	A1. Low Sensitivity SQ	A2. Moderate Sensitivity	A3. High Sensitivity
Written Total	14	1,427	2,650
Hearing Total	0	29	2

- Most support for A3 high sensitivity trigger followed by support for A2 moderate sensitivity trigger
- Many noted the importance of a more sensitive trigger and responding to low recruitment could help mitigate future stock declines by responding early



# AP: Recruitment Trigger Definition



- 5 AP members for A1 status quo low sensitivity trigger
  - Status quo has worked effectively to identify recruitment failure
- 7 AP members for A2 moderate sensitivity trigger
  - Public support for a more sensitive trigger (considering recent low recruitment) that would not trip too often
- 3 AP members for A3 high sensitivity trigger
  - Focus on low recruitment and the value of YOY data as a stock predictor



# Recruitment Trigger Comments



	Recruitment Trigger Response		
	<b>B1. Most Flexible: Board determines action SQ</b>	<b>B2. Most Conservative: reduce F if <math>F &gt; F</math> target-low recruitment</b>	<b>B3. Moderately Conservative: reduce F if F trigger trips using F-low recruitment</b>
<b>Written Total</b>	<b>16</b>	<b>4,068</b>	<b>2</b>
<b>Hearing Total</b>	<b>1</b>	<b>35</b>	<b>0</b>

- Most support for B2 the most conservative management response
- Some organizations support a modified B2 option where the Board would make the comparison of F against F interim target during the next stock assessment, instead of immediately when the recruitment trigger trips to avoid responding to the recruitment trigger between stock assessments



# AP: Recruitment Trigger Response



- 6 AP members support B1 status quo (Board determines response)
  - Flexibility is important, especially with weak stock-recruit relationship
  - Caution about reacting to YOY data alone
- 9 AP members support B2 the most conservative response (reduce  $F$  if  $F > \text{interim } F$  target)
  - If the Board does not respond to low recruitment, this same stock status scenario will happen again



# Tier 4: Deferred Management Action



**Option A (Status Quo).** No deferred management action. If a trigger trips, the Board must take action.

**Some flexibility in certain situations:**

- **If a trigger trips, defer action until the next assessment if:**
- **Option B.** it's been less than 3 years since last action was implemented in response to a trigger
  - **Option C.** F target trigger trips and SSB is above target
  - **Option D.** F target trigger trips and SSB projected to increase/remain stable over 5 years
  - **Option E.** F target trips and at least 75% probability SSB is above threshold over 5 years
  - **Option F.** Board has already initiated action (e.g., developing addendum) in response to a different trigger

# Deferred Action Comments



		Defer until the next assessment if...				
	A. No Deferred Action SQ	B. <3 years since last action	C. F target trips & SSB > target	D. F target trips & SSB increase/ stable over 5 years	E. F target trips & 75% chance SSB > threshold over 5 years	F. action initiated in response to another trigger
<b>Written Total</b>	<b>4,080</b>	<b>11</b>	<b>6</b>	<b>5</b>	<b>5</b>	<b>23</b>
<b>Hearing Total</b>	<b>200</b>	<b>43</b>	<b>57</b>			<b>44</b>

- Most support for Option A no deferred management action, noting accountability and not delaying action
- Those supporting deferred action options B-F noted importance of flexibility and considering factors like how long management measures have been in place



# AP: Deferred Management



- 11 AP members for status quo A: no deferred management action
  - Public wants immediate action with no delays
  - Even if SSB is above the target, no delay to take action
- 3 AP members support C and D: defer if F target trigger is tripped and SSB is above target or SSB is projected to increase/remain stable
  - Provide management stability and ensures SSB is on a good trajectory before deferring



# Questions on Management Triggers?

Tier 1: Fishing Mortality (F) triggers

Tier 2: Spawning Stock Biomass (SSB) triggers

Tier 3: Recruitment Trigger

Tier 4: Deferred Management Action





# **Section 4.2.2**

## **Measures to Address**

# **Recreational Release Mortality**



# Recreational Release Mortality



## Statement of the Problem

- Recreational release mortality is a large component of fishing mortality
- ~90% of recreational catch is released alive and 9% of fish caught and released alive are assumed to die
- Current management program primarily uses bag limits and size limits to constrain recreational harvest and is not designed to control effort, which makes it difficult to control overall fishing mortality
- Addendum VI requires circle hooks when fishing recreationally with bait (artificial lure exemption)



# Recreational Release Mortality



- Correction to Figure 4 in Draft Amendment 7 summarizing 2021 recreational seasons
- New York's current closure in the tidal Hudson River from Dec 1 – March 31 is a no-targeting closure



# Recreational Release Mortality



**In order to reduce recreational release mortality in the fishery, options consider:**

- Effort controls to reduce the number of trips interacting with striped bass
- Additional gear restrictions to help increase the chance of survival after being released
- Outreach and education

**Option A.** Status Quo (Add VI circle hook measure only)

**Option B.** Effort Controls (Seasonal Closures)

**Option C.** Gear Restrictions

**Option D.** Outreach and Education



# Rec Release Mortality



## Option A: Status Quo Circle Hook Requirement Only

*The use of circle hooks, as defined herein, is required when recreationally fishing for striped bass with bait, which is defined as any marine or aquatic organism live or dead, whole or parts thereof. This shall not apply to any artificial lure with bait attached... It is recommended that striped bass caught on any unapproved method of take must be returned to the water immediately without unnecessary injury.*



# Rec Release Mortality



## **Option A: Status Quo Circle Hook Requirement Only**

Public Comment: 4 organizations indicated they only support Option A; no support for additional measures to address recreational release mortality due to inability to quantify the benefit of measures



# Rec Release Mortality



## Option B. Effort Controls (Seasonal Closures)

**B1. State-Specific 2-Week No Targeting Closures:**  
All recreational targeting prohibited for minimum 2 weeks during a wave with at least:

B1-a. 15% of striped bass directed trips (MRIP)

B1-b. 25% of striped bass directed trips (MRIP)

***Tier 1: Would existing No-Targeting Closures implemented in 2020 via Addendum VI CE by Maryland and PRFC fulfill these requirements?***

A. Yes

B. No



# Rec Release Mortality



## Option B. Effort Controls (Seasonal Closures)

### B2. Spawning Area Closures

**B2-a. All recreational harvest of striped bass would be prohibited during Waves 1 and 2 (Jan-Apr) in spawning areas (Chesapeake Bay, Delaware River/Bay, Hudson River, Kennebec River). States bordering these areas will determine the boundaries of closures.**

**B2-b. All recreational targeting of striped bass would be prohibited for a minimum 2-week period on all spawning grounds (not necessarily the entire spawning area) during Wave 2 (Mar-Apr) or Wave 3 (May-Jun), as determined by states to align with peak spawning. States will determine the boundaries of spawning ground closures.**



# Rec Release Mortality



## Option B. Effort Controls (Seasonal Closures)

### B2. Spawning Area Closures

- Existing closures would be applied toward these requirements
- Existing and new spawning closure boundaries must be reviewed by the TC and included in state implementation plans



# Seasonal Closure Comments



	Seasonal Closures		
	<b>B1. States no targeting for 2 weeks</b>	<b>B2-a. Spawning areas no harvest for Jan-Apr</b>	<b>B2-b. Spawning grounds no targeting for 2 weeks</b>
<b>Written Total</b>	<b>102</b>	<b>2,924</b>	<b>434</b>
<b>Hearing Total</b>	<b>59</b>	<b>172</b>	<b>121</b>

- B2-a was the most supported of the closure options
- Some noted spawning closures should include staging areas for pre-spawn fish
- B1 was the least supported of the closure options;
- Some noted support if the closures were no-harvest
- Some noted closures should occur during the summer



# Seasonal Closure Comments



	Seasonal Closures		
	<b>B1. States no targeting for 2 weeks</b>	<b>B2-a. Spawning areas no harvest for Jan-Apr</b>	<b>B2-b. Spawning grounds no targeting for 2 weeks</b>
<b>Written Total</b>	<i>102</i>	<i>2,924</i>	<i>434</i>
<b>Hearing Total</b>	<i>59</i>	<i>172</i>	<i>121</i>

- Some comments noted specific opposition to seasonal closure options, including 108 comments at the public hearings indicating no support for any seasonal closure option



# Seasonal Closure Options



- Some comments noted opposition to seasonal closure options
  - Enforcement concerns for no-targeting closures
  - Negative economic impacts of closures
  - Inability to quantify the reduction achieved from implementing closures
- Comments noting specific opposition to closures in the Hudson River
- Some noted closures could be considered in the future, but not enough information or data in the current options



# AP: Seasonal Closures



- No support for B1 no-targeting closure for 2 weeks
  - Benefits are unclear and management issues (e.g., different closures in states) may outweigh benefits
  - May be a future tool but not enough analysis at this point
  - Closures may be beneficial for warm water conditions
- 3 AP members for B2-a (no harvest in spawning areas for Jan-Apr)
  - Would decrease effort; concern about fishing pressure on pre-spawn fish
- 3 AP members for B2-b (no targeting on spawning grounds for 2 weeks)
- 1 AP member noted the difficulty of identifying all spawning grounds for closures



# Rec Release Mortality



- **Option C. Gear Restrictions**

**C1.** Prohibit any device other than a nonlethal device to remove a striped bass from the water or assist in the releasing of striped bass.

**C2.** Option for Incidental Catch Requirement: Striped bass caught on any unapproved method of take would be returned to the water immediately without unnecessary injury.

*The Board could choose one or both C1 and C2.*



# Gear Restriction Comments



	<b>Gear Restrictions</b>	
	<b>C1. Prohibit any device other than a non-lethal device to remove striped bass from water/assist in releasing</b>	<b>C2. Release striped bass if caught on unapproved method of take</b>
<b>Written Total</b>	<b>1,584</b>	<b>1,536</b>
<b>Hearing Total</b>	<b>310</b>	<b>230</b>

- At hearings in particular, many more comments in support of gear restrictions as compared to support for seasonal closures



# AP: Gear Restrictions



- 8 AP members for C1 (prohibit any device other than non-lethal device to remove from water)
- 4 AP members for C2 (incidental catch requirement)
- 2 AP members concerned about impacts of C2
  - Required young anglers to release incidental catch
  - Difficult to implement as states have different approved/unapproved methods of take



# Rec Release Mortality



## Option D. Outreach and Education

*Best handling and release practices*

**D1.** Required Outreach (required in annual state compliance reports)

**D2.** Recommended Outreach



# Outreach Comments



	<b>Outreach and Education</b>	
	<b>D1. Require Outreach</b>	<b>D2. Recommend Outreach</b>
<b>Written Total</b>	<b>3,009</b>	<b>1,076</b>
<b>Hearing Total</b>	<b>31</b>	<b>17</b>

- General support for outreach and education efforts with most supporting D1 required outreach
- Commenters noted outreach and education is one of the most important strategies and should be prioritized



# AP: Outreach



- 14 AP members (unanimous) recommend the Board reconsider requiring outreach and education at a later date when the required elements are more clearly defined to track compliance
  - Recognizes importance of outreach/education
  - Draft Amendment does not provide enough information on outreach requirements
  - Need to determine specific outreach standards



# Other Comments: Rec Release Mortality



- Concern about MRIP data and high uncertainty
- Concern the 9% recreational release mortality estimate is outdated and not representative of what is happening on the water
- Recommend new recreational release mortality studies be conducted and they should include state/region-specific, season-specific, and/or sector-specific release mortality estimates (supported by some AP members)
- Additional gear restrictions including requiring barbless hooks and banning treble hooks





# **Law Enforcement Committee Input on Striped Bass Draft Amendment 7: Recreational Release Mortality Options**



May 4, 2022

# Overview



- LEC met via webinar in April 2022
- LEC recommendations on Draft Amendment 7 options addressing recreational release mortality:
  - Seasonal Closures
  - Gear Restrictions
  - Outreach
  - General input



# Seasonal Closures LEC Input



- No-targeting closures would be unenforceable
  - Overlap with other recreational species (e.g., bluefish)
- Spawning closure boundaries should be clearly defined for implementation



# Gear Restrictions LEC Input



- Option C1 proposes “prohibiting any device other than a non-lethal device to remove a striped bass from the water or assist in releasing a striped bass”
- LEC concerned “non-lethal device” is too broad
  - Difficult to enforce given the broad definition
  - Could be confusing to anglers who use methods like spearfishing



# Gear Restrictions LEC Input



- LEC recommends more specific language for option C1:
  - Identify which lethal devices are prohibited, OR
  - Identify which non-lethal devices are permitted for use
- If the Board's intent is to prohibit gaffing specifically, the LEC recommends language:
  - ***It shall be unlawful for any person to gaff or attempt to gaff any striped bass at any time when fishing recreationally***



# Gear Restrictions LEC Input



- LEC support option C2: require striped bass caught on any unapproved method of take be returned to the water immediately without unnecessary injury
- This requirement for incidentally caught striped bass aligns with and strengthens gear restrictions



# Outreach LEC Input



- LEC supports outreach and education efforts to help increase compliance with regulations
- However, outreach options in Draft Amendment 7 don't provide specific details on how/what type of outreach would be conducted
- Previous LEC recommendation: conduct outreach to manufacturers to address questions about what qualifies as a circle hook



# General LEC Input



- Importance of consistent regulations in shared waterbodies and among neighboring states
- Different regulations between neighboring states presents enforcement challenges, and are often confusing to anglers



# Questions on Recreational Release Mortality?

Option A. Status Quo (Add VI circle hook measures)

Option B. Effort Controls (Seasonal Closures)

Option C. Gear Restrictions

Option D. Outreach and Education



# **Section 4.6.2**

## **Management Program**

### **Equivalency**

#### **(Conservation Equivalency)**



# Conservation Equivalency



## Statement of the Problem

- Value in allowing states to implement alternative regulations based on the needs of their fisheries
- Results in regulatory inconsistency among states and within shared waterbodies with associated challenges (e.g., enforcement)
- Difficult to evaluate the effectiveness of CE programs due to the challenge of separating out other variables (like angler behavior and availability of fish)
- Concerns that some alternative measures implemented through CE could potentially undermine management objectives
- Limited guidance on how and when CE should be pursued and how “equivalency” is defined



# CE Options



**Options consider whether to adopt new default restrictions or requirements for the use of CE.**

- **Option A. (SQ)** Board discretion
- **Option B.** Restrict CE based on Stock Status
- **Option C.** Precision Standards for MRIP in CE Proposals
- **Option D.** CE Uncertainty Buffer for Non-Quota Managed Fisheries
- **Option E.** Definition of Equivalency for Non-Quota Managed Fisheries



# CE Options



- The Board can select sub-options under some, all, or none of the option categories B through E
- If a sub-option is not selected under an option, the Status Quo (Board discretion) remains in place on that issue

**Option A. (SQ) Board discretion**

**Option B. Restrict CE based on Stock Status**

**Option C. Precision Standards for MRIP in CE Proposals**

**Option D. CE Uncertainty Buffer for Non-Quota Managed Fisheries**

**Option E. Definition of Equivalency for Non-Quota Managed Fisheries**



# CE Options



- **Option A. Status Quo: Board discretion**
  - The Board has final discretion regarding the use of CE and approval of CE programs
  - The Board may restrict the use of CE on an ad hoc basis for any FMP requirement



# CE Options



## Option B. Restrict the Use of CE Based on Stock Status

### Option B1: Restrictions

- B1-a. No CE if stock is overfished (i.e., below the SSB threshold)
- B1-b. No CE if SSB is below SSB target
- B1-c. No CE if overfishing is occurring (i.e., above F threshold)

At a minimum, B1 stock status restrictions would apply to non-quota managed recreational fisheries (except Hudson River, DE River, DE Bay)

***Note: Currently existing CE programs would remain in place until Board action is taken on new FMP standards relevant to the specific fishery.***

# CE Options



## Option B. Restrict the Use of CE Based on Stock Status

### Option B2. Applicability

- At a minimum, B1 stock status restrictions would apply to non-quota managed recreational fisheries (except Hudson River, DE River, DE Bay)
- The Board could extend the restrictions to also include one or more of the following:
  - B2-a. Hudson River, Delaware River, Delaware Bay recreational fisheries
  - B2-b. Quota-managed recreational fisheries (e.g., bonus programs)
  - B2-c. Commercial fisheries

# CE Options



## Option C. Precision Standards for MRIP

MRIP percent standard error (PSE) may not exceed:

- **C1.** 50
- **C2.** 40
- **C3.** 30

## Option D. CE Uncertainty Buffer for Non-Quota Managed Fisheries

- **D1.** 10%
- **D2.** 25%
- **D3.** 50%

Example: if a 20% reduction is required with a 10% uncertainty buffer, CE proposals would need to demonstrate a 22% reduction.



# CE Options



## Option E. Definition of Equivalency for Non-Quota Managed Fisheries

– Proposed CE programs would be required to demonstrate equivalency to:

**E1.** the percent reduction/liberalization projected for the FMP standard at the coastwide level (e.g., each state required to achieve 18% as projected coastwide for Addendum VI)

**E2.** the percent reduction/liberalization projected for the FMP standard at the state-specific level



# CE Options



## Option E. Definition of Equivalency for Non-Quota Managed Fisheries

*Example: Management Measure X*

Projected to achieve 20% reduction coastwide

- State A projected 25% reduction
- State B projected 10% reduction

**E1.** States submit CE proposal for 20% reduction (coastwide reduction)

**E2.** States submit CE proposal for their state-specific reduction:

- State A: 25%
- State B: 10%



# CE Category Comments



	<b>A. Board discretion on CE SQ</b>	<b>B. Stock Status Restrictions</b>	<b>C. MRIP PSE Standard</b>	<b>D. Uncertainty Buffer for Non-Quota Managed</b>	<b>E. Define Equivalency for Non-Quota Managed</b>
<b>Written Total</b>	<b>52</b>	<b>4,104</b>	<b>1,563</b>	<b>1,568</b>	<b>1,332</b>
<b>Hearing Total</b>	<b>101</b>	<b>142</b>	<b>87</b>	<b>96</b>	<b>87</b>

- Most comments support restricting CE based on stock status (B)
- Concern about past use of CE and high uncertainty
- Some comments to remove CE from the FMP
- Those supporting Option A Board discretion note the importance of CE to address the unique needs of different states/regions/sectors



# AP: CE Option A



- 8 AP members for Option A status quo Board discretion on the use of CE
  - Maintaining flexibility for states to address unique conditions is important; CE is essential for management to be feasible with different fisheries
  - CE in the Chesapeake Bay is successful in increasing protection through the summer closures when habitat is limited
  - Some CE programs reduce recreational releases by allowing for different size limits



# CE Option B Comments



	No CE if... (for non-quota REC fisheries)			Stock status restrictions would also apply to...		
	B1-a. stock is over- fished	B1-b. SSB is below target	B1-c. over- fishing	B2-a. Hudson River, DE Bay/River	B2-b. Quota- managed REC: bonus programs	B2-c. Commer cial
<b>Written Total</b>	<b>4,101</b>	<b>6</b>	<b>426</b>	<b>22</b>	<b>133</b>	<b>9</b>
<b>Hearing Total</b>	<b>49</b>	<b>3</b>	<b>20</b>	<b>6</b>	<b>10</b>	<b>6</b>

- Most support B1-a and some also favored B1-c
- Few comments in support of extending those restrictions beyond the default non-quota managed recreational fisheries
- Of those who support extending restrictions, most supported B2-b (stock status restrictions apply to bonus programs)



# AP: CE Option B



- 3 AP members for B1-a (no CE if overfished)
- 2 AP members for B1-c (no CE if overfishing)
  - Risk of CE should not be taken when the stock is in poor condition considering the uncertainty of CE
- 1 AP members against B1-c
  - Overfishing threshold should not be used as basis for restricting CE due to MRIP uncertainty
- 2 AP members for B2-a extending stock status restrictions to the Hudson River, Delaware Bay, and Delaware River



# CE Option C Comments



	<b>PSE Standard for MRIP Data in CE Proposals</b>		
	<b>C1. 50 PSE limit</b>	<b>C2. 40 PSE limit</b>	<b>C3. 30 PSE limit</b>
<b>Written Total</b>	<b>2</b>	<b>1</b>	<b>1,558</b>
<b>Hearing Total</b>	<b>1</b>	<b>0</b>	<b>36</b>

- Most support for C3, noting the need to align with NOAA guidance on MRIP PSE levels



# CE Option D Comments



	<b>Uncertainty Buffer for Non-Quota Recreational Fisheries</b>		
	<b>D1. 10% buffer</b>	<b>D2. 25% buffer</b>	<b>D3. 50% buffer</b>
<b>Written Total</b>	<b>255</b>	<b>1,144</b>	<b>168</b>
<b>Hearing Total</b>	<b>3</b>	<b>29</b>	<b>5</b>

- Most support for D2 25% buffer
- Some support for D1 and D3



# CE Option E Comments



	<b>Define Equivalency for Non-Quota Recreational Fisheries</b>	
	<b>E1. Coast projection</b>	<b>E2. State projection</b>
<b>Written Total</b>	<b>4</b>	<b>1,328</b>
<b>Hearing Total</b>	<b>0</b>	<b>29</b>

- Most support for E2, noting importance of accountability and concern about Addendum VI CE programs based off the coastwide projection



# AP: CE Options C, D, E



- 2 AP members for C2 (PSE limit 40)
  - MRIP data are the only data available to use; 30 limit would be too low
- 3 AP members for C3 (PSE limit 30)
  - Minimize uncertainty and align with NOAA guidance
- 2 AP members for D1 (10% buffer)
  - Ideally the buffer would be between 10-25%
- 3 AP members for D2 (25% buffer)
  - 10% is not adequate but 50% is not needed
- 2 AP members for E2 (state projection for CE proposals)
  - Accountability for states



# Questions on Conservation Equivalency?

- **Option A. (SQ)** Board discretion
- **Option B.** Restrict CE based on Stock Status
- **Option C.** Precision Standards for MRIP in CE Proposals
- **Option D.** CE Uncertainty Buffer for Non-Quota Managed Fisheries
- **Option E.** Definition of Equivalency for Non-Quota Managed Fisheries





# Review Projection Scenarios for 2022 Stock Assessment Update for Striped Bass



May 4, 2022

# Overview



- Stock assessment update for striped bass conducted in Summer 2022
- Results expected in October 2022
- **Today: review rebuilding projection scenarios and potential Board guidance on probability scenarios**



# Assessment Results



## What will the assessment tell management?

- 1. Stock Status:** Time series of F and SSB through 2021
- 2. Projections**
  - Probability of SSB in 2029 being at or above the SSB target under current F
  - Percent reduction in catch necessary to rebuild by 2029
- 3. Management Options** for Board action to achieve that reduction



# Projection Scenarios



1. **Status quo:** what is the probability of SSB in 2029 being at or above the SSB target under current F with the low recruitment assumption?

Per option selected for Amendment 7:

*If the 2022 stock assessment results indicate the Amendment 7 measures have **less than a 50% probability** of rebuilding the stock by 2029 (as calculated using the recruitment assumption specified in Amendment 7)...*



# Projection Scenarios

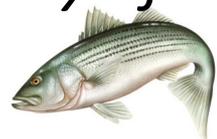


- 2. F rebuild:** what F level is necessary to have a **Z%** chance of being at or above the SSB target in 2029 with the low recruitment assumption?

## Board guidance on **Z%** probability for rebuilding

- Probability scenario for Addendum VI was 50% chance of achieving F target
- Board response process selected in Amendment 7 based on a 50% probability

*If the 2022 stock assessment results indicate the Amendment 7 measures have less than a 50% probability of rebuilding the stock by 2029...*



# Projection Scenarios



- 2. F rebuild:** what F level is necessary to have a **Z%** chance of being at or above the SSB target in 2029 with the low recruitment assumption?

Per option selected for Amendment 7:

*...if the stock assessment indicates at least a 5% reduction in removals is needed to achieve F rebuild, the Board may adjust measures to achieve F rebuild via Board action.*

**If the Board considers adjusting measures via Board action immediately after the assessment, the TC would need to calculate management options to achieve F rebuild to present concurrently with the assessment results in October 2022**



# Measures to Achieve Rebuilding



- August 2022 Board meeting: Board guidance to the TC on types of management options to consider if the assessment indicates a reduction is needed to achieve F rebuild
  - E.g., sector reduction split, size limit or season guidance





**QUESTIONS?**