



Atlantic States Marine Fisheries Commission

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MEMORANDUM

January 16, 2015

TO: Atlantic Striped Bass Management Board

FROM: Atlantic Striped Bass Technical Committee

SUBJECT: Technical Review and Recommendations for Addendum IV State Implementation Plans and Conservation Equivalency Proposals

The Atlantic Striped Bass Technical Committee held a conference call on November 18, 2014 to discuss Addendum IV implementation plans including protocols for states to follow if they wish to pursue conservation equivalency. Specifically the TC discussed potential data sources, treatment of data, and analyses. The outcome of that conference call was a TC Memo (M14-110; see Board Briefing Materials) which detailed the protocols, as approved by the TC, for completing conservation equivalency proposals.

The TC held a meeting on January 8-9, 2015 during which all state implementation plans, including conservation equivalency proposals, were reviewed based on technical merit and to ensure that the approved protocols as outlined in M14-110 were followed. After reviewing the state implementation plans, the TC developed a list of general comments pertaining to all conservation equivalency proposals that the Board should consider when considering state specific management options for 2015. In addition, the TC made recommendations for each of the state implementation plans. General comments, state specific proposed regulations, and TC recommendations are detailed below.

General Comments on Conservation Equivalency Proposals

- The TC still maintains that there is greater certainty in the percent reductions of simple management measures (e.g., changes in bag or size limits) relative to more complex measures (e.g., slot or trophy fish options).
- Changes in angler behavior (e.g., effort, poaching, discards) are not accounted for as they cannot be quantified and may impact the overall realized percent reductions.
- Several states had concerns with data limitations (e.g., high PSE's, number of trips).
- If a state has chosen to use a release mortality rate other than the accepted 9%, they must have data to support that.
- All conservation equivalency proposals must meet the 25% reduction with 25.0% being the median percent reduction not the maximum.
- Enforcement of the proposed regulations needs to be considered including, but not limited to, slot limits and how they may be interpreted by states and enforcement officers and the potential to have differing regulations in neighboring states. Due to the latter, the Board may want to consider regional approaches to management for states that are proposing similar management measures.

M15-09

The TC approved all state options in the tables that follow. They had a few comments on the states bulleted below.

- **Connecticut:** The TC acknowledged that Connecticut did not assume perfect compliance with their recreational bag and size limit analysis (option 2) which results in more conservative reduction estimates than assuming perfect compliance as decided by the TC.
- **Maryland:** The TC raised concern regarding increased discards due to increased minimum size for the commercial Chesapeake Bay fishery (Option 4b). At the TC's request, Maryland included an estimate of commercial dead discards that would occur under an increased minimum size of 20" (Option 4b; see implementation plan). Based on this analysis, Maryland estimates that discard mortality would be less of an impact than direct harvest would be on 2011 year class if MD maintained their current minimum size (18") for the Chesapeake Bay commercial fishery.
- **New York:** The TC noted that all options met the necessary reduction regardless of which release mortality rate (5%, 9% or 16%) was used.

Table 1. Proposed recreational management options by state. Please note the numbering of options matches the convention used in state implementation plans for cross referencing purposes.

Option	Mode/Region	Size Limits	Bag Limits	Other	Open Season
Maine					
ME-A	All	28" min	1	NEW	1/1 – 12/31
ME-B	All	24 - 26" slot	1	NEW	1/1 – 12/31
New Hampshire					
NH-1	All	28" min	1	Option B1 From Add 4	1/1 – 12/31
Massachusetts					
MA-A	All	28" min	1	Option B1 From Add 4	1/1 – 12/31
MA-B	(private, shore) (for-hire)	28" 32"	1 2	NEW	1/1 – 12/31
MA-C	(private, shore) (for-hire)	28" min (1) 28-34" slot, (1) \geq 40"	1 2	NEW	1/1 – 12/31
Rhode Island					
RI-A	All	28" min	1	Option B1 From Add 4	1/1 – 12/31
RI-B	(private, shore) (for-hire)	28" 32"	1 2	NEW	1/1 – 12/31
Connecticut					
CT-1	All	28" min	1	Option B1 From Add 4	1/1 – 12/31
CT-2	(private, shore) (for-hire)	28" 32"	1 2	NEW (CT & RI)	1/1 – 12/31
New York Marine					
NY-1	All	28" min	1	Option B1 From Add 4	4/15 – 12/15
NY-2	(private, shore) (for-hire)	28" 32"	1 2	NEW	4/15 – 12/15
NY-3	All	(1) 28-34" slot, (1) \geq 36"	2 (1 + trophy)	Option B7 From Add 4	4/15 – 12/15
NY-4	All	(1) 28-36" slot, (1) \geq 38"	2 (1 + trophy)	Option B8 From Add 4	4/15 – 12/15
NY-5	All	(1) 28-37" slot, (1) \geq 40"	2 (1 + trophy)	Option B9 From Add 4	4/15 – 12/15

Option	Mode/Region	Size Limits	Bag Limits	Other	Open Season
New York Delaware River					
NYD-1	All	28" min	1	Option B1 From Add 4	1/1 – 12/31
New York Hudson River (North of the George Washington Bridge River mile 12)					
NYH-1a	All	18 – 28" slot	1		3/16 – 11/30
NYH-1b	All	18 – 28" slot	1	Circle Hooks Only	3/16 – 11/30
NYH-2a	All	(1) 18-28" slot OR (1) ≥ 40 "	1		3/16 – 11/30
NYH-2b	All	(1) 18-28" slot OR (1) ≥ 40 "	1	Circle Hooks Only	3/16 – 11/30
NYH-3a	All	(1) 18-28" slot OR (1) ≥ 44 "	1		3/16 – 11/30
NYH-3b	All	(1) 18-28" slot OR (1) ≥ 44 "	1	Circle Hooks Only	3/16 – 11/30
NYH-4a	All	18 – 28" slot	1		Weeks 11–19 (~3/16 – 5/8)
		28" min	1		~5/9 (wk 20) – 11/30
NYH-4b	All	18 – 28" slot	1		Weeks 11–19 (~3/16 – 5/8)
		28" min	1	CH only 5/9-6/15	~5/9 (wk 20) – 11/30
NYH-5a	All	18 – 28" slot	1		Weeks 11–20 (~3/16 – 5/15)
		28" min	1		~5/16 (wk 21) – 11/30
NYH-5b	All	18 – 28" slot	1		Weeks 11–20 (~3/16 – 5/15)
		28" min	1	CH only 5/16-6/15	~5/16 (wk 21) – 11/30
New Jersey					
NJ-1	All	(1) 28 to < 43" slot, (1) ≥ 43 "	2	NEW	1/1 – 12/31
NJ-2	All	(1) 29 to < 36" slot, (1) ≥ 36 "	2	NEW	1/1 – 12/31
Pennsylvania					
PA-1	DE Estuary	21 – 25" slot	2	DE Estuary	4/1 – 5/31
	DE Estuary	28" min	1	DE Estuary	1/1 – 3/31, 6/1 – 12/31
	DE River	28" min	1	DE River	1/1 – 12/31

Option	Mode/Region	Size Limits	Bag Limits	Other	Open Season
Delaware					
DE-B5	All	33" min	2	Option B5 From Add 4	1/1/ - 12/31
DE-B6	All	28 – 34" min	2	Option B6 From Add 4	1/1/ - 12/31
DE-B7	All	(1) 28 – 34" slot, (1) \geq 36"	2	Option B7 From Add 4	1/1/ - 12/31
DE-B8	All	(1) 28 – 36" slot, (1) \geq 38"	2	Option B8 From Add 4	1/1/ - 12/31
DE-B9	All	(1) 28 – 37" slot, (1) \geq 40"	2	Option B9 From Add 4	1/1/ - 12/31
DE-CE1	All	28" min, no harvest 38 – 43"	2	NEW	1/1/ - 12/31 (catch & release 4/1 – 5/31)
	DE Bay, River and Tributaries	20 – 25" slot	2	NEW	7/1 – 8/31
Maryland					
MD-1a	Coastal	28" min	1	Option B1 From Add 4	1/1 - 12/31
MD-3a	Trophy	36" min	1	NEW	3 rd Saturday of April - 5/15
MD-3b	Trophy	36" min, *plus 1 fish per charter boat 28 – 36" slot	1* (+1 for charter boat)	NEW	3 rd Saturday of April - 5/15
MD-3c	Chesapeake Bay Summer/Fall	(2) 20 - 28" slot OR (1) 20 – 28" slot, (1) > 28"	2	Option C4 From Add 4	5/16 - 12/20 (includes 5 day extension)
MD-3d	Chesapeake Bay Summer/Fall	(2) 20 - 28" slot OR (1) 20 – 28" slot, (1) > 28"	2	Option C4 From Add 4	5/16 – 12/15 (excludes 5 day extension)
District of Columbia					
DC-1	All	(2) 20 – 28" slot OR (1) 20 – 28" slot, (1) > 28"	2	Option C4 From Add 4	5/16 - 12/31
Potomac River Fisheries Commission					
PRFC-3a	Trophy	36" min	1	NEW	3 rd Saturday of April – 5/15
PRFC-3b	Trophy	36" min, *plus 1 fish per charter boat 28 – 36" slot	1* (+1 for charter boat)	NEW	3 rd Saturday of April – 5/15
PRFC-3c	Summer/Fall	(2) 20" min OR (1) 20 – 28" slot, (1) > 28"	2	Option C4 From Add 4	5/16 – 12/31

Option	Mode/Region	Size Limits	Bag Limits	Other	Open Season
Virginia					
VA-A	Coastal	28" min	1	Option B1 From Add 4	1/1 – 3/31, 5/16 – 12/31
VA-B	Coastal	33" min	2	Option B5 From Add 4	1/1 – 3/31, 5/16 – 12/31
VA-C	Coastal	(1) 28 – 34" slot, (1) \geq 36"	2	Option B7 From Add 4	1/1 – 3/31, 5/16 – 12/31
VA-D	Coastal	(1) 28 – 36" slot, (1) \geq 38"	2	Option B8 From Add 4	1/1 – 3/31, 5/16 – 12/31
VA-CB	Chesapeake Bay	(2) 20 – 28" slot OR (1) 20 – 28" slot, (1) > 36"	2	Option C4 From Add 4	5/16 – 6/15
		(2) 20 - 28" slot OR (1) 20 – 28" slot, (1) > 28"	2	Option C4 From Add 4	10/4 – 12/31
VA-T	Trophy	36" min	1	NEW	5/1 – 5/15 (Coastal), 5/1 – 6/15 (Chesapeake Bay)
North Carolina					
NC-1	All	28" min	1	Option B1 From Add 4	1/1 – 12/31

Table 2. Proposed commercial management options by state. Please note the numbering of options matches the convention used in state implementation plans for cross referencing purposes.

Maine, New Hampshire, District of Columbia, Pennsylvania					
No Commercial Fishery, OR Do Not Use Commercial Quota					
Option	Mode/Region	Size Limits	Seasonal Quota	Other	Open Season
Massachusetts					
MA-1	All	34" min	869,813 lbs	Option B16 From Add 4	6/23 – 9/1
Rhode Island					
RI-A	General Category	34" min	111,459 lbs	Option B16 From Add 4	6/8 – 8/31; 9/8 – 12/31
	Floating Fish Trap	26" min	70,113 lbs	NEW	4/1 – 12/31
RI-B	General Category	34" min	111,459 lbs	Option B16 From Add 4	6/8 – 8/31; 9/8 – 12/31
	Floating Fish Trap	28" min	71,260 lbs	Option B16 From Add 4	4/1 – 12/31
Connecticut (No commercial fishing, use quota for recreational bonus fish program)					
CT-1	All Areas	22" min (1 voucher/fish harvested)	3,018 vouchers	25% reduction from 2014 vouchers (4,025)	1/1 – 12/31
New York					
NY-1	All	28" min	795,795 lbs	Option B16 From Add 4	7/1 – 12/15
NY-2	All	24" min	730,920 lbs	NEW	7/1 – 12/15
New Jersey (No commercial fishing, use quota for recreational bonus fish program)					
NJ-1	All	1 fish \geq 28"	241,313 lbs	Rec Bonus Program	1/1 – 12/31
NJ-2	All	1 fish 24" to < 28 or 29"	215,912 lbs	Rec Bonus Program	1/1 – 12/31
Delaware					
DE-GN	Gill Net	20" min	137,831 lbs	DE Bay and River in Spring	2/15 – 5/31 (2/15 – 3/30 Nanticoke River)
		28" min		All other waters, DE Bay and River in Fall	11/15 – 12/31
DE-H/L	Hook & Line	28" min	14,509 lbs		4/1 – 12/31

Option	Mode/Region	Size Limits	Seasonal Quota	Other	Open Season
Maryland					
MD-1	Atlantic	24" min	90,727 lbs	Trawl & Drift Gill Net	1/1 – 3/30, 11/1 – 12/31
MD-4a	Chesapeake Bay	18" – 36" slot	1,471,888 lbs	Drift Gill Net H&L, Haul Seine, Pound Net	1/1 – 2/28, 12/1 – 12/31 6/1 – 11/30
MD-4b	Chesapeake Bay	20" – 36" slot	1,496,631 lbs	Drift Gill Net H&L, Haul Seine, Pound Net	1/1 – 2/28, 12/1 – 12/31 6/1 – 11/30
Potomac River Fisheries Commission					
PRFC-1	Gill Net	18" min 18" – 36" slot	355,810 lbs	Represents 20.5% Reduction in overall quota split among gear types	1/1 – 2/14, 11/10 – 12/31 2/15 – 3/25
	Pound Net	18" – 36" slot 18" min	130,090 lbs		2/15 – 3/25 6/1 – 12/15
	Hook & Line	18" – 36" slot 18" min	84,462 lbs		2/15 – 3/25 6/1 – 12/15
	Miscellaneous	18" – 36" slot 18" min	14,000 lbs		2/15 – 3/25 6/1 – 12/15
Virginia					
VA-1	Coastal	28" min	138,640 lbs	Option B16 From Add 4	1/16 – 12/31
VA-2	Chesapeake Bay	18" min 18" – 28" slot	1,064,997 lbs	Represents 20.5% reduction	1/16 – 3/21, 6/16 – 12/31 3/26 – 6/15
North Carolina					
NC-1	All	28" min	360,360 lbs	Option B16 From Add 4	12/1 – 11/30

Tina Berger

From: Michael Toole <toolemf@hotmail.com>
Sent: Saturday, January 24, 2015 10:34 AM
To: Comments
Subject: ASMFC winter hearing input for Executive Board

ASMFC Executive Board

Last year the ASMFC requested input on possible changes to the stripe bass regulations. While only a small percentage of the people who target stripers responded. The over whelming public response was to change the recreational limit to 1 fish at 32" or greater. The end result from ASMFC was a 1 fish at 28" façade or a conservation equivalent equal to 25%. The results are that many states are moving to a two fish limit with in some cases special treatment for charters.

As a member of the Plum Island Surfcaster Executive board I have encouraged our 205 members to be active in the fishery management process and to supply input to ASMFC when requested and to attend hearings. The common responses I get is why bother because the ASMFC will go with what the money want and ignore the input. In this case the public response showed a willingness of the public to reduce their catch in the best interest of the striper stock. The recent action by ASMFC has further resulted in the concerned public losing any trust they had in ASMFC actually being interested in public input. The fishing web pages are full of comments that once again ASMFC failed to act in the best interest in the fish and gave in to the money groups. With the most recent emergency actions taken related to the Gulf of Maine cod stocks trust in the regulators is continuing to further disappear. This mistrust in the fishery management groups on the east coast has led to many to recommend to me to start actively supporting to the New England Conservation Law Foundation. While I hate to use the legal system to resolve issues like this when you lose faith in the regulators doing the right thing there are few other choices. ASMFC had the chance to act in the best interest of the striper stock based on the public input you received but chose not to. Further eroding any trust many of us had in the regulators doing the right thing.

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