

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

**August 16, 2006
Alexandria, VA**

Board Approved: October 23, 2006

ATTENDANCE

Board Members

Terry Stockwell, ME DMR, proxy for Mr. Lapointe
Pat White, ME Gov. Appte.
John Nelson, NH F&G
G. Ritchie White, NH Gov. Appte.
Rep. Dennis Abbott, NH
Ritchie White, NH Gov. Appte.
William Adler, MA Gov. Appte.
Paul Diodati, MA DMF (Chair)
Vito Calomo, MA, proxy for Rep. Verga
Mark Gibson, RI DFW (Vice Chair)
Gil Pope, RI, proxy for Rep. Naughton
Everett Petronio, RI Gov. Appte.
Eric Smith, CT DEP
Dr. Lance Stewart, CT Gov. Appte.
Pat Augustine, NY Gov. Appte.
Gordon Colvin, NY DEC
Erling Berg, NJ Gov. Appte.
Tom McCloy, NJ DF&W

Dick Herb, NJ, proxy for Asm. Fisher
Roy Miller, DE Div F&W
Bernard Pankowski, DE, proxy for Sen. Venables
Eugene Kray, PA Gov. Appte.
Frank Cozzo, PA, proxy for Rep. Schroder
Leroy Young, PFBC, proxy for Mr. Austen
Howard King, MD DNR
Russell Dize, MD, proxy for Sen. Colburn
Bruno Vasta, MD Gov. Appte.
A.C. Carpenter, PRFC
Jack Travelstead, VA MRC
Kelly Place VA, proxy for Sen. John Chichester
Catherine Davenport, VA Gov. Appte.
Preston Pate, NC DMF
Jimmy Johnson, NC, proxy for Rep. Wainwright
Tom Meyer, NOAA Fisheries
Jamie Geiger, USFWS

Ex-Officio Members

Doug Grout, Technical Committee Chair

Jim Guilfod, Advisory Panel Chair

Staff

Vince O'Shea
Robert Beal

Nichola Meserve
Toni Kerns

Guests

Peter Himchak
Sean McKeon
Carrie Kennedy
Bennie Williams
Derek Orner
John Duren

Margaret McBride
Jeff Kaelin
Gerrit Velema
Steve Meyers
Wilson Laney
Chris Moore

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Move to approve sending draft Addendum I to Amendment 6 to the Interstate Fishery Management Plan for Atlantic Striped Bass forward for public comment. Motion by Mr. Augustine; second by Mr. Calomo, motion passes unanimously. (p.10)

Move to approve the 2006 FMP Review for Atlantic Striped Bass with corrections submitted within 10 days. Motion by Mr. Augustine; second by Mr. Adler, motion passes. (p.14)

ATLANTIC STATES MARINE
FISHERIES COMMISSION

SUMMER MEETING

ATLANTIC STRIPED BASS
MANAGEMENT BOARD

DoubleTree Hotel Crystal City
Arlington, Virginia

August 16, 2006

The meeting of the Atlantic Striped Bass Management Board of the Atlantic States Marine Fisheries Commission convened in the Washington Ballroom of the DoubleTree Hotel Crystal City, Arlington, Virginia, on Wednesday, August 16, 2006, and was called to order at 2:00 o'clock, p.m., by Chairman Paul Diodati.

CALL TO ORDER

CHAIRMAN PAUL DIODATI: If we can cut down on all the discussion we're about to start the Striped Bass Board meeting. Thank you. We're starting about 15 minutes early so if there is anybody in the hall that belongs here, please pass the word that striped bass has started.

And I want to welcome you all. And you should have a fresh agenda before you. There are all the documents you need up in the back of the room, including the minutes from the last meeting which was in February.

We did not meet last time around in May. We actually skipped an ASMFC meeting without striped bass. I did offer some striped bass therapy to those who needed it though. And you know so we got through it.

**APPROVAL OF AGENDA AND
PROCEEDINGS**

Are there any changes or additions to the agenda? Does any board members want to add? Does anyone want to add or change anything? The proceedings, I would like to know if anyone has any comments, changes, additions to the proceedings, the last meeting. If not, **I'll accept both the agenda and the minutes for this meeting.**

PUBLIC COMMENT

I'll ask any members of the public if they have any general comments. You will have an opportunity to make any points, comments, questions to the Board as we go along that deal with specific items. But if anyone in the public has anything they wish to address the Board with now, seeing none we're going to move to our first item of business which is review of the Draft Addendum I.

**REVIEW OF DRAFT ADDENDUM I FOR
PUBLIC COMMENT**

This is something that has come before the Board back in February. The Board delayed action on it until today, asking for the technical committee to make some modifications to it. They've done that. It has come back to us now and I believe Bob Beal is going to give a brief presentation on the changes that have been made.

MR. ROBERT E. BEAL: Great, thank you, Mr. Chairman. The other influence over this document is a working group that Paul Diodati has put together. This working group met kind of offline at the May meeting week and provided some guidance to staff and the plan development team for modifications to the document.

So this document reflects the working group's input as well as the technical committee's input so I'll just run through it relatively quickly. One of the—before I even start, one of the main modifications to the document is the portions of the document or portions of the data collection program that are mandatory versus those that are elective for the states.

The majority of the document has been modified to essentially describe what an ideal data collection program would be for striped bass bycatch data collection. The majority of that work is not mandatory at this time.

It's kind of a roadmap of where we think we should go or where the tech committee and the plan development team and the working group think we should go as far as data collection. But the mandatory element, which I'll highlight later, is really a reporting requirement of the states.

Just as a quick background, Amendment 6 requires the development of this addendum which is a bycatch data collection program to increase accuracy of data

on striped bass discards on both the commercial and recreational sectors.

The statement of the problem in the document notes that about 36 percent of the overall mortality of striped bass in 2004 came from discards and bycatch mortality and there is just concerns over this level of impact on the stock assessment. And, again, this addendum establishes a data collection program.

Addendum I addresses discards in all sectors, recreational, commercial. And on the commercial side and recreational side it focuses on fisheries that direct on striped bass as well as fisheries that incidentally catch striped bass while they're targeting other species.

The commercial fishery or the goals of Addendum I as far as commercial fishery goes, at-sea observer coverage on commercial vessels and, again, vessels targeting striped bass and vessels that encounter striped bass.

Also, the goal is to determine the discard mortality associated with commercial gear types that currently encounter striped bass and document the level of bycatch identified in problem fisheries within the state.

So the idea is to look at all the gear types that are currently being deployed, determine which gear types encounter striped bass fairly regularly and determine what the bycatch mortality is associated with that level or with that gear type and fishing activity.

On the recreational fishery the goal is to determine the proportional use of gear and fishing type or gear types and fishing practices, so how many folks are chumming versus you know artificial lures, treble hooks, circle hooks and all those things, determine the fishing mortality associated with each type of gear and fishing practice, and document the level of bycatch in problem fisheries as identified by the states.

The bycatch data collection program has three components which is recommended data collection, recommended studies, and analysis to be collected by or to be conducted by the technical committee.

Data collection and elements, on the commercial side of things the primary data collection module is the at-sea observer coverage. Now, the goal is to implement the ACCSP standards which is a 5 percent and a 2 percent standard which in high-priority species it's 5 percent and 2 percent for low-priority

species.

So the idea is to have the states move toward implementing the ACCSP standard on striped bass. This would be implemented by all states that have commercial striped bass fisheries and other fisheries that encounter striped bass and collect the data elements consistent with the ACCSP and also in coordination with the National Marine Fisheries Service to ensure complete coverage in state and federal waters.

Discard mortality studies, this is to, this is, again, as I mentioned earlier studying the different gear types and the mortality associated with the different fishing practices for the commercial sector and determine which, what level of discard mortality is associated with each gear type.

And there is a list here. The trawl is the highest priority gillnet, fixed nets which are pound net, fyke net, floating fish traps and as well as hook-and-line.

There are some studies out there and we're going to have staff and the technical committee look into those to determine if there is a better or what the existing pool of information is on striped bass data collection or discard mortality from commercial gear types.

The technical committee analysis as far as the commercial side goes is to look into the NMFS observer data and see if we can identify any discarding hotspots and potentially put some more effort into collecting data in those hotspots and also to analyze the number and type of trips by state, season and gear type so that coverage can be proportionally allocated when there is sea sampling money available.

On the recreational side of things the first data element or data collection program is to continue with what we're doing now which is through the MRFSS program collecting information on discarded striped bass.

This is the ACCSP standard so just continue to move in that direction. The next step is to develop add-on questions to determine what type of gear and terminal tackle are being used by the striped bass fishermen up and down the coast. And we'll work with the tech committee and ACCSP to develop those questions.

Continuation of the data collection elements, also develop a survey to estimate the size composition of discarded catch. The one thing we know on the

recreational side is the number of fish that are discarded. We don't have a really good handle on the size of those fish.

Are they undersized or oversized? Are they just high-grading? What's going on in the recreational fishery? We just don't have that so we want to develop some data collection programs possibly through volunteer angler surveys or additional questions on the intercept survey to get a handle on the size composition of the discarded striped bass.

Similar to the commercial side of things, for the recreational data collection program we'll conduct studies to determine post-release mortality on given different environmental conditions of temperature, salinity and the range of gear types that I mentioned earlier, the circle hooks and treble hooks and different fishing practices. And we'll conduct some analysis of the existing studies that are out there as well.

The technical committee will develop estimates of proportion discards based on water temperature and salinity if possible. So that there is a—the tech committee would go into the existing MRFSS database and determine if there is a way to kind of pick apart that data and say, well, you know, clearly if it's a summertime fishery in the Chesapeake Bay there is, you know, obviously the water temperature is high.

If it's a, you know, early season fishery up in Massachusetts, for example, it's a fairly cool water temperature. So there may be a way to pick apart the data that we do have to refine the discard estimate.

And the tech committee is going to, as time permits, look into that as well. And then they will work with applying the existing post-release mortality estimates based on the results of their other studies.

On the for-hire side of things it's very similar to the other recreational data collection programs. They will continue with the MRFSS questions regarding discarded fish from the for-hire fishery--and this, again, is the ACCSP standard--and like the recreational fishery will develop add-on questions to the MRFSS to collect information on the terminal tackle that is used by fishermen in the for-hire fishery.

This is the, now we are into the mandatory portion of the addendum. Everything prior to this has been recommendations to the state and recommendations or charges to the technical committee for additional

analysis.

The implementation of at-sea observers and the other portions of this are not mandatory at this time given the concerns of the management board at previous meetings about the cost associated with implementing those programs.

But the mandatory element is the reporting requirement, as I mentioned earlier. And this is that bycatch and/or data monitoring required as part of the annual compliance report.

So if a state has an in-state at-sea observer program or some other data collection program on striped bass bycatch, in particular, the new requirement is that they include the results of those studies as part of their annual compliance report to the commission.

The working group also discussed the notion of incentives to reduce bycatch. And you know for example if a state is using a clean gear should they, what sort of incentive if any should they be given for implementing those so-called "clean gears"?

And that's something that the board can explore in the future as part of a future addendum and some sort of, on the commercial side potentially higher quotas or adjusted seasons or size limits or something like that if clean gears were implemented by states as a—that's a notion that the working group started to discuss.

They agreed that it's a fairly complicated issue and there is a lot of issues to be worked out both on the technical side as well as how you would craft the details in an addendum but they felt that this was something that we should consider in the future.

And that's the quick summary of the addendum. Paul, I can answer any questions if there are any on how the addendum would work. And the consideration today is for approval for public comment.

CHAIRMAN DIODATI: Okay, I see there is number of hands going up and I'll get to you in a minute, Pat and Gene. I just want to refresh our memories a bit here that this is a requirement of our previous amendment to go to implementation or a development at least of an addendum of this kind.

I think we all feel very comfortable in the great work that the technical committee and stock assessment subcommittee and tagging group has done over the past ten years, actually, because I think that the data

elements they used, the estimation procedures, seem to be characterizing this fish, fishery and the stock very, very well in terms of management, our management ability.

It seems to be tracking well. But there are estimation procedures that have been used, particularly for bycatch. And this addendum was in part a way to address the public concern when we are developing our last amendment with regards to bycatch. So what elements of it would actually get implemented down the road are still questionable. So with that I'll take questions or comments from Pat and then Gene.

MR. PATRICK AUGUSTINE: Thank you, Mr. Chairman, very thorough public information document. I think they've covered everything, as you have suggested.

Under the last item, Bob, incentives to reduce bycatch, we've talked about some of the other things we could do. I know at the Mid-Atlantic Dr. Kray has been pressing forth with the use of circle hooks as one of the means of recreational folks to do it.

I'm wondering if we have considered putting an educational component in there or a comment that might be added that says development of an either general or specific—I want to call it a handout as a suggestion—maybe that might be one of the tools that we could put in there and suggest the public might want to comment on.

To carry it one step farther, I could visualize anybody who got checked by MRFSS out of the realm of this should have a handout given to them, particularly on striped bass using the circle hooks and that sort of thing, that could be developed by National Marine Fisheries Service.

We're concerned with bycatch. We skirt around it but we haven't really focused on it yet and I think we're moving there. So, would it be appropriate to have a statement about an educational component in the public information document? Thank you.

MR. BEAL: Obviously there is not one included now. It could be included in there. We usually, the majority of our management documents don't necessarily have an education component in there.

That's something that the board has developed sort of outside of the normal addendum/amendment process. But if, you know if this board feels that it's an appropriate and a reasonable thing to include in the document we can definitely add that in.

MR. AUGUSTINE: Thank you, Mr. Chairman.

CHAIRMAN DIODATI: Gene.

DR. EUGENE KRAY: Thank you, Mr. Chairman. I just want to tag on to Pat's comment. The council approved two motions which came out of the ecosystems committee of the council, which I chair.

And one is to encourage or one is to send a letter to Hogarth asking for additional research on the use of circle hooks in the fishery, particularly the recreational fisheries, which we manage.

And the target of that would be to identify the fact that the use of circle hooks would reduce bycatch mortality, or to see if it in fact on every specific species, and there are about five of them, and secondly without disrupting the catchability of fish as opposed to J-hooks, etcetera.

The second issue, and Chris Moore and I were just talking about it at the break, is, the second motion dealt with trying to put a, support the efforts through Chris and Forbes Darby's office to have a workshop on the use of circle hooks.

And as Bob was talking it jumped into my head that—and I know, Bob, you did that great study which I've read on circle hooks and striped bass—if somehow when we get this together maybe you, the commission could join with the council on this concept and whether it would be striped bass or any of the other species.

So that's that issue. I wanted to talk to one of the specific things that are in here, however, and that's the volunteer angler survey. Bob, is it your thinking that we would go with a self reporting via computer in terms of a volunteer? Or haven't you gotten that far in your thinking?

MR. BEAL: I don't think the group has gotten that far along with it. I think the idea is that we need to get a handle on the size composition of the discarded fish, you know, be it through self reporting through a computer system or a log book or you know additional MRFSS questions or whatever it is.

You know, it's just a notion that we need to get a handle on that to feed into the stock assessment process and adjust the discard estimates in that way. So, the thinking is not that far along yet.

CHAIRMAN DIODATI: Bruno.

MR. BRUNO VASTA: Thank you, Mr. Chairman. Maryland, as you probably know, we have our own voluntary program put in place. Beside the log books which the charter captains put in through other organizations we have had instituted a computerized program essentially getting back to the Department of Natural Resources.

And we would be very glad to share with anybody else or any other state the programming that was necessary to go ahead and put this in place.

CHAIRMAN DIODATI: I suspect that when this addendum does get out into the public it's going to generate a lot of discussion at the state level. And there is a number of us at the states that have already conducted circle hooks studies.

I'm pretty sure that Maryland has in the past. And there are brochures. I know that we have done that in Massachusetts. We have brochures now that provide the highlights of our study results and makes recommendations in an educational way for fishermen.

So I suspect that these kind of things will flush out as this addendum goes forward. But unless there are any specific comments for Bob on his presentation I'll entertain a motion to move this addendum out to public comment.

MR. AUGUSTINE: **So moved.**

MR. VITO CALOMO: **Second.**

CHAIRMAN DIODATI: Okay, we have a motion, seconded by Vito Calomo. So it's by Pat Augustine and seconded by Vito Calomo. And I'll go to the audience in a minute, Tom. We have a motion on the floor. Is there any comment? Tom.

MR. TOM McCLOY: Thank you, Mr. Chairman. And as a latecomer to this board I appreciate all the previous board members' work on this and I know everybody in the technical committee has also spent a lot of time.

However, I have one concern and I think a concern that is shared by other directors. It's if some of these data collection programs were to become mandatory it could be extremely expensive for some of the agencies involved around the table.

That's a concern but my more immediate concern is that does this document transmit what we're thinking

to the public clearly. For example, if I were to just read this quickly I'd look at those data collection programs that are being proposed and just automatically assume that they were going to be completed.

And I think that there needs to be some discussion in here to indicate that, you know, these are the ideal data collection programs at this time that we think need to be implemented, maybe mentioning that you know mandatory implementation of these could be problematic because of financial commitments that would be required just so that the public isn't led down the path thinking that something is going to happen and then find out, oh well, it was going to be voluntary anyway.

And, quite frankly, I'm in no position at this point in time to sign on to most of these if they were voluntary. So just I think it would be helpful if we just clarify that in the document for the public's sake.

CHAIRMAN DIODATI: Definitely.

MR. McCLOY: And if I may, while I have the microphone.

CHAIRMAN DIODATI: Yes.

MR. McCLOY: I have one other comment. As most of you know, New Jersey has a striped bass bonus program where we collect a lot of volunteer angler information. And you know we'd be more than happy to supply that information to the board and to the technical committee for analysis.

And I think we probably collect a lot of that information right now. My only concern, and, again, this is down the road somewhere but I want to express it now, is that you know that program, we operate that based on the fact that, you know, we have the time and personnel to do it.

Should we get in a situation down the road where we have to reprioritize our efforts, that program could go away. So I don't want to get in a situation where we're supplying data from a program, it's useful, and then all of a sudden that program is mandatory for us to continue at some point in time.

CHAIRMAN DIODATI: Thank you, Tom. Those are all important, good points that the board members have been concerned about for more than a year now and I think that's why this particular addendum has dragged on so long. But certainly staff will make those additions either directly to the document or

certainly in the presentations at the public meetings. Go ahead, Roy.

MR. ROY O'REILLY: As another latecomer to the board I just have a question. This document mentions existing recreational intercept surveys. And my question is, is this referring to some of the individual state efforts that I've just heard about just now or is there some kind of coordinated effort that has been going on over the years coastwide?

CHAIRMAN DIODATI: I believe it's referring to the MRFSS, the coordinated effort.

MR. O'REILLY: And what does that consist of?

CHAIRMAN DIODATI: The MRFSS is, that's the national survey conducted by NOAA Fisheries throughout the nation and all the coastal states. The surveys for the most part on the East Coast have been emphasized by add-ons that are paid for by a number of states along the Atlantic Coast.

But it's a two-part survey, a field intercept survey that provides catch effort information and then there is—by species—and then there is an overall telephone survey to estimate total participation in the fishery. The two are combined to get the general estimates of participation and catch. Gene.

DR. KRAY: Just to tag onto that, Mr. Chairman, the MRFSS survey, they do not call Pennsylvania. They do not make phone calls in Pennsylvania. I know that for a fact.

And the only way they are going to get information about Pennsylvania fishermen is by the intercept at the dock in Cape May or anywhere on the Jersey Coast or Delaware or whatever like that. That's the only way they're going to get information about Pennsylvania fishermen.

CHAIRMAN DIODATI: Okay. Roy.

MR. ROY MILLER: Mr. Chairman, just for clarity's sake with the motion I'm wondering if maybe we should rearrange some of the words just a little bit. Actually what we're doing is approving a public comment draft, are we not, rather than approving Addendum I. So, maybe if we move that "for public comment" to the head of the sentence it would clarify things for someone who wasn't attending this meeting.

CHAIRMAN DIODATI: I take it that's okay with the maker of the motion and the seconder. Yes. Any

other comments or questions? We have need for a caucus on this? Excuse me. Pat, would you like to read your motion? Then I'm going to go to the audience.

MR. AUGUSTINE: Thank you, Mr. Chairman. Moved to approve sending Addendum I--

CHAIRMAN DIODATI: Still being worked on, Pat. While we're waiting I'll go to the audience. Tom, I see you have your hand up. You want to come up? Tom Fote.

MR. THOMAS FOTE: Tom Fote, Jersey Coast Anglers' Association. I wanted to echo some of the concerns that Tom McCloy did from the state of New Jersey. We send out a lot of documents to public hearings.

And when we're going to do data collection and things like that and it puts out great expectations to the public without the cost of what that program will cost. And I really think that—in personnel, not only in money, but in personnel.

I mean I look at the New Jersey Division of Fish and Wildlife and they've been on a hiring freeze and have lost I think it's eleven people in two or three years. And marine fisheries has nobody to do the work that currently needs to be done.

If we're sending a document out there it should be some kind of cost analysis if it can be done, some kind of personnel requirements so it makes it easier for when the state goes to a public hearing to basically express it.

He says, by the way, people, you'd like to have this data; I need the money to basically do that. And if it's in a document saying this is what it's going to require, you know I think it would make it a lot easier for most of the states because you know I think it's a great list.

I think it needs to be done. But also I live in a realistic world right now with budget cuts up and down the coast and state agencies. And if we're going to get the money necessary to do these types of projects we need the public support out there.

And if we don't tell them there is a cost involved in doing this and there is a personnel problem involved in doing this, they won't basically lobby to do that.

So if you could do anything to that to include that into the document it would be greatly appreciate for

us to basically have to go to these hearings and basically explain to our membership that if you want this done, you've got to find out a way to get the money to the division and for the personnel and the money necessary to do the plans. Thank you very much.

CHAIRMAN DIODATI: Thank you, Tom. Is there anyone else in the audience that wants to make a comment, ask a question? Okay, Pat, do you want to read that motion now?

MR. AUGUSTINE: Thank you, Mr. Chairman. I had assumed that Bob was going to try to capture some language based on Mr. McCloy's comments that would clarify. I think that answers Mr. Fote's concerns.

So, the motion is to move to approve sending Draft Addendum I to Amendment 6 to the Interstate Fishery Management Plan for Atlantic striped bass forward for public comment. Motion by Mr. Augustine; seconded by Mr. Calomo.

CHAIRMAN DIODATI: Thank you, Pat. Is there a need to caucus here? Okay, all in favor, a show of hands; those opposed, same sign; abstentions; null votes. Okay, it passes unanimously. We'll have a technical committee update.

Of course again I remind you there was no stock assessment done this year but the technical committee does have some updates to provide us. And that will be done by technical committee chair Doug Grout.

TECHNICAL COMMITTEE UPDATE

REPORT ON BOARD TASKS TO TC

MR. DOUG GROUT: Thank you. There it is, the red light. Thank you, Mr. Chair. I have a couple of items to begin with that were left over from last year when you folks asked some questions of the technical committee in regards to last year's assessment.

And the first question was, "What specific surveys does the TC need to provide abundance indices for older fish?" Because we were saying we were kind of short on those abundance indices.

Well, this is what we came up with and one is exploring the volunteer angler survey programs of which six states have them right now. And we also included the New Jersey bonus program log books because they have similar information on there.

So we are going to be looking over the next year at the possibility of developing an older age index from those volunteer angler surveys and combining it with the, some of the information from the MRFSS.

Massachusetts also has a tagging program which they primarily tag older fish, fish that are a couple feet in size and larger so we thought that would be a good index that we might be able to tap into.

But we need to first develop some measure of effort from that because they essentially go out on the charter boats and tag fish. We've got to figure out some way of developing effort.

An idea that was brought up was contracting charter boats to fish for larger fish and larger fish only, also increasing the sampling effort on some of the spawning stock surveys that we currently have. And finally look into the various state citation programs to see if that might be a source of information that we could use for older fish indices.

The second question that you provided for us—change the slide, yes—was, "Can we develop discard mortality estimates for the North Carolina/Virginia Wave I fishery?" As you remember from the last assessment we made our first try at getting harvest estimates from that fishery and incorporated that into the assessment. And our answer is yes.

Using basically a combination of what the existing data is, North Carolina does conduct the MRFSS survey in Wave I right now so we have information from 2004, 2005 and 2006 so we have that. And we can use a combination of harvest to release estimates from North Carolina Wave I plus tag return information to come up with some discard estimates again.

Same thing for the historical going back to 1996 to 2003, we can use some tag ratios of released fish to harvested fish in the tagging database and combine it with release to harvest estimates from Wave 6 as a proxy.

The final question you asked us was, "Can we develop estimates of uncertainty around the F and SSB estimates?" You know we have tagging Fs and population estimates from our new catch equation and we also have the VPA, F, and SSB estimates.

Yes, for the catch equation. As a matter of fact next week the tagging committee is going to be working on coming up with estimates of uncertainty around

the F from the catch equation as well as the population estimates that it generates.

The VPA is a little bit less certain. We can come up with an approximation and it's, I sent out at the, I believe it was the spring meeting there was some material there describing the reason that we couldn't come up with exact variance estimates using the bootstrap technique on the VPA but we can come up with an approximation.

And if anybody would like me to explain that in detail I'll be glad to either explain it here or explain it to you after the meeting or we can go over at some future meeting what was sent out in that description that we, write up that we provided.

But we can come up with an approximation of uncertainty around the F and SSB estimates for a VPA. Any questions on those three before I move on to what we did in our most recent meeting?

CHAIRMAN DIODATI: Yes, Jaime.

DR. JAIME GEIGER: Thank you, Mr. Chairman. Doug, any discussions by the technical committee, especially in response to the response to the first question on the estimated cost or costs for implementing some of these programs?

MR. GROUT: No. We, you know, obviously the volunteer angler survey programs we can get at that because there are six states that already do that. I know from our own state it's a relatively minor cost. It's a few thousand dollars for the volunteer angler survey program.

As far as the mass tagging program, I mean the data is already there. It's just a matter of figuring out a way of coming up with effort estimates. Contracting charter boats, obviously, as you might expect might be quite expensive. And we could come up with something if that's a direction that we decide to go in.

MR. McCLOY: Thank you, Mr. Chairman. Doug, does the TC need the data that you talked about from the specific surveys to perform a full assessment each year?

MR. GROUT: These surveys? Which? Are you talking about the volunteer angler surveys?

MR. McCLOY: Yes, I am.

MR. GROUT: Most, a lot of the states use that volunteer angler survey information to come up with

the size and age composition of their discard estimates for recreational fisheries.

We essentially have age-length keys from a variety of states, New York, Maryland, Massachusetts, for example, and then we take the length information from that and feed that through the age-length keys to come up with the catch at age for discarded fish.

So, yes, we are using that. The other source is the American Littoral Society which has a tagging program which provides us with length information coastwide from their participants. So, some of the states who don't have volunteer angler surveys use that information for discard estimates. Okay?

REPORT FROM JUNE 21, 2006 TC MEETING

Next, this is a report from our June meeting. And in your meeting material you have a summary of it that's a little more detailed.

One of the main things that we wanted to address was between the time of the assessment and through last fall and during the winter some discussions sprung up among certain technical committee members and the tagging subcommittee.

And they were expressing concerns about the appropriateness of the input data used in the catch equation model where we produced new estimates of F. There was a new way of producing estimates of F as well as getting estimates of M, fishing mortality rate, and population estimates.

It wasn't that the catch equation model is inappropriate. That is a peer reviewed model. That's in Ricker. It's a standard fishery. It was just the information, the analysis that was going into that that took the exploitation rate and the survival estimates and plugged that into the model.

We had an open discussion about that at our June meeting and our consensus was that we wanted to send the catch equation with the F, M and population estimates to peer review from it. We also made several recommendations for improvement to some of the F estimates and the estimates we get out of this catch equation.

First of all, develop confidence intervals. That's something that you requested. We also wanted the, are asking the tagging committee to look at what we refer to as an integrated analysis. Right now the survival estimates are coming from one analysis that we're plugging in.

The exploitation rate is coming from an R over M calculation. There are two different sets of data. What we'd like to do is explore the possibility of using a single analysis to come up with survival and exploitation rate and then plug it in. That was part of the disconnect that some of these technical committee members were having, were uncomfortable with.

And then probably one of the most important things from the technical committee's standpoint is we need a current estimate, coastwide estimate, of the tag reporting rate. We need this for all our tagging programs.

We've, there has been a small group of states that have been working to put together a funding proposal for this over the past two years and unfortunately it hasn't been funded yet. But we, as a technical committee, think that this is critical to improving our estimates of fishing mortality that we're getting out of the tagging program.

We need money for a coastwide tag reporting rate study, a high rewards study. Are there any questions about that? Okay, yes, A.C.

MR. A.C. CARPENTER: Well, a question I guess for Howard, you are currently running a Diamond Jim contest for striped bass where there is high reward for particularly tagged fish. Can that data be used to get to some of the questions raised here or is it designed that way?

MR. HOWARD KING III: It should be useful but we won't know until the contest is finished.

CHAIRMAN DIODATI: Pat.

MR. AUGUSTINE: Thank you, Mr. Chairman. The last item on the board indicated you need funding coastwide. Is that now? And it is available? And when will funding be available? Bob might be able to help us with that. And how much are we talking about to satisfy the need for the technical committee?

MR. GROUT: The exact amount, I'd have to get back to you on that. There has been the funding proposal that has been put forward. And I'd have to talk to the exact committee but you know I'm sure we're talking, from my standpoint I would guess that it would be in the range of tens of thousands of dollars maybe or a few thousands of dollars.

MR. AUGUSTINE: A follow on, Mr. Chairman. Bob, do we have any sense for where we're going

with this? Are they hoping for something that they aren't going to get or we can't make available to them to complete what their task is that they're trying to complete?

MR. BEAL: The budget for the calendar year 2006 doesn't have anything in it for this study but you know as we go through the funding cycle and the budget cycle for 2007 I think it's completely appropriate if it's, depending on the size of that or the amount of money that's needed to do the study.

If it's tens of thousands of dollars maybe but if it gets down, you know—the lower it is or the cheaper it is the easier it is to fund. So, we'll just have to incorporate that into the matrix of projects for next year.

MR. AUGUSTINE: Thank you.

CHAIRMAN DIODATI: Yes, I think it would warrant a proposal from the technical committee so that we could at least disseminate it out there. There might be sources of funds. In fact, we may even have—

MR. AUGUSTINE; That would be most helpful, Mr. Chairman.

CHAIRMAN DIODATI: We may even have, this might be a \$15,000-\$20,000 job that could be done in a lot of different ways. Anything more Doug?

MR. GROUT: This was sort of a heads-up, you get the first crack at a question that was brought to us by the Policy Board, of which most of you are members. But when they were doing, had the multispecies management workshop they, one of the things that came out of that was going to weakfish, bluefish, striped bass, menhaden committees and looking at what issues the technical committee might be there.

And these are the issues we came up with. And you can look at them and see them and you'll probably get the chance to comment on them a little bit more whenever it comes before the Policy Board.

The only other thing beyond this was just if you're interested I have a schedule of what we think we're going to be accomplishing in leading up to the upcoming peer reviewed assessment. It's up to you, Mr. Chairman, whether you want to see that. A lot of it is something I showed to you, I proposed to you a few months ago.

CHAIRMAN DIODATI: Yes, I don't think it's

necessary to introduce that now.

MR. GROUT: Okay.

CHAIRMAN DIODATI: Unless people have a desire to see that right now. I should have mentioned earlier that Nichola Meserve has joined us as our new plan coordinator and many of you probably met her this morning at the South Atlantic meeting.

But she is one of the new plan coordinators working for the ISFMP program so welcome, Nichola. And I suspect those states and most of you will want to have those public meetings in your area, in your region.

You should be contacting Nichola with that interest. I imagine she will be on the road for some of that. And are you going to present this next? Okay, so we have the annual FMP review and compliance report. I'm not aware of any compliance issues but I'll look forward to hearing about them.

REVIEW OF ANNUAL FMP REVIEW AND COMPLIANCE REPORT

MS. NICHOLA MESERVE: Thank you, Mr. Chairman. The PRT met in July to review the states' compliance reports which were due on June 15th of the year and to produce a draft FMP for review. The resulting document was provided on the supplemental mailing CD and is also on the back table if you don't have it.

And I'm just going to provide a couple slides that have the major findings from that report. In 2005 three states exceeded their coastal commercial quotas. Massachusetts and Rhode Island had 2005 quotas that had been adjusted from 2004 overages and the states exceeded those quotas in 2005 as shown in this table.

The PRT recommends that Massachusetts and Rhode Island thus have their coastal commercial quotas lowered for 2006 to reflect that overage. Virginia also exceeded the 2005 coastal commercial quota and the PRT recommends that the 2006 quota reflect that overage as well.

In the Chesapeake Bay spring trophy fishery the 2005 quota was adjusted to 35,944 fish after a small overage in 2004. The 2005 fishery landed over 65,000 fish which surpassed the quota by nearly 30,000 fish. An adjusted quota of 25,488 fish was set for the 2006 fishing year.

In the Chesapeake Bay commercial fishery the total harvest was approximately 860,000 pounds below the quota. The board approved a 2006 quota of over 5 million pounds which was a small increase from the 2005 quota.

Regarding the juvenile abundance indices, the 2005 estimates increased in New Jersey, Maryland and North Carolina whereas the Virginia and Hudson River indices decreased slightly. Despite the decrease the Virginia JAI remained above the time series average, along with those in New Jersey, Maryland, North Carolina and Maine.

The 2005 Hudson River indice was below the time series as it was in 2004. The PRT found that no management action was required because no state reported recruitment failure for three consecutive years.

Under Amendment 6 to the Striped Bass FMP four scenarios related to the fishing mortality and spawning stock biomass can trigger management actions. Of the four in this slide the last one is the one that we come closest to with striped bass but it doesn't trigger an action.

Action would be required if F were greater than the F target for two consecutive years and the spawning stock biomass was less than the spawning stock biomass target for either of those years.

While we have exceeded the F target, while F has been greater than or equal to the F target for two consecutive years, the spawning stock biomass has been more than the target since 1997 so no action is triggered.

A couple final points. I've been asked by a couple of the members on the TC or the subcommittees to provide a gentle reminder to the states to submit the standardized Excel sheets at the same time that they submit their annual compliance reports.

That will just speed up the process of compiling the numbers. And the PRT adds that it is preferred for the states to follow the standardized compliance report format when producing their report.

Lastly, the PRT currently consists of Wilson Laney and Gary Shepherd and has no state representation after the, after I think Kim McKown left us. So we request that we have additional representation for the PRT. And that's all.

CHAIRMAN DIODATI: Any questions for staff or

comments? Jack.

MR. JACK TRAVELSTEAD: Thank you, Mr. Chairman. A minor point but one that I think needs to be corrected, Table 3 in the review indicates an overage by Virginia of the coastal commercial quota by 173 pounds.

The 2005 harvest number that is indicated there, 185,026, was provided to the staff in May as part of our usual annual report. We have a problem in Virginia, not so much with striped bass but with a number of other species, where fishermen report their harvest to us under state law.

When they sell to a permitted federal dealer those harvests are also reported to NMFS. And we have now identified some very serious situations where catches are being double counted, much more so in fisheries like flounder and less so in striped bass.

And as a result we went back and looked at this '05 number and have since determined that there was some double counting as a result of this. By the way, the staff is working with the National Marine Fisheries Service and ACCSP staff to correct this problem.

But the correct number for Virginia for '05 is 184,734. I would ask that that correction be made in the table. I don't know if you want to take my word for it today or would want something in writing to verify that but I'd be glad to provide that to the board.

CHAIRMAN DIODATI: The correction will be made, Jack. Thank you. Anything, any more questions? Tom.

MR. McCLOY: While we're on the subject of corrections, on I think it's Table 7 that has the recreational regulations listed for 2004 and 2005. There are some minor items in there that are incorrect for New Jersey. And if it pleases the board and in the interest of time we don't need to slug through it here today but I can send an e-mail down and make those corrections.

CHAIRMAN DIODATI: Howard, similar?

MR. KING: Yes, just to get on the record, Table 5, I think that requires a footnote and I'll get with Nicola later and try to insert that.

CHAIRMAN DIODATI: So why don't, now that we have this report why doesn't everyone just offer their

corrections as they see them by e-mail to staff and those corrections will be made. Any other comments or questions? Were there any compliance issues that we needed to talk about?

MS. MESERVE: Not this year, no.

CHAIRMAN DIODATI: Okay. So the stock continues to do well. No one is out of compliance. Everything is perfect with striped bass. Thank you. We need an approval, a motion to approve this report. Made by Pat Augustine, seconded by Bill Adler.

MR. AUGUSTINE: Mr. Chairman, with a footnote on it, please, that all of the corrections will be included in this from the various states that find there are misinformation.

CHAIRMAN DIODATI: Okay. Within ten days everyone will submit those corrections. So Toni is going to write that in to the—Pat, you will read that motion for us. Yes, you can read it now.

MR. AUGUSTINE: Thank you, Mr. Chairman. **Move to approve the 2006 FMP review for the Atlantic striped bass with the corrections submitted within ten days. Motion by Mr. Augustine; seconded by Mr. Adler.**

CHAIRMAN DIODATI: Okay, is there any more comment or question from the board on this? I'll go to the audience. Comments/questions in the audience. Seeing none is there a need for a caucus? I don't believe so.

A show of hands in support of this motion; a show of hands, same sign, opposed; abstentions; null votes. The motion passes. Next on the agenda is an update on the proposal to reopen the EEZ and Tom are you prepared to, Tom Meyers?

UPDATE ON PROPOSAL TO REOPEN THE EEZ

MR. TOM MEYERS: Thank you, Mr. Chairman. If you all remember during our last board meeting I stated that NMFS was going to go out with further scoping. And we did. We went out and we had four options.

We went back out to the public and we had a 30-day comment period. Congressman Saxon asked us for another 30 days which we did. That comment period ended June 26th, 2006. And since then Congressman Pallone requested a House hearing on opening up the EEZ to striped bass fishing.

That occurred on July 27th at which point Dr. Hogarth during his testimony was asked when he felt that he would have a decision on proceeding with opening up the EEZ. And he stated at that time that he felt within six weeks that he would have a decision.

So that's in three weeks Dr. Hogarth will be making a decision if to proceed and complete a DEIS modifying the alternatives to fit the scoping and proceed with public hearings on an EIS and proposed rule and everything that the public will have ample time to add whatever they want.

So, if Bill decides in three weeks to stop the process because of the comments and people calling in and public pressure, we will put together a letter from Bill to this board, to ASMFC, outlining our, Bill's reasons for stopping the process at that point.

So right now I'm waiting for Bill to give me a decision. We formed a Fishery Management Action Team. We've gone over 8,000-plus comments. About 7,500 of them came from RFA, half going to

the Secretary and half going to Dr. Hogarth, the same, exact same form.

And we had a lot of interesting comments and we've presented, I've presented those comments to Bill and he should be making a decision within the next three weeks or so.

CHAIRMAN DIODATI: Okay, so we'll look forward to Bill's response to the commission either way in about a month.

MR. MEYER: Yes.

CHAIRMAN DIODATI: Any questions for Tom on this issue? Thanks, Tom. Other business. Is there any other business to come before the board? Do we have a **motion to adjourn**? Thank you.

(Whereupon, the meeting was adjourned at 2:58 o'clock p.m. on Wednesday, August 16, 2006.)

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