

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

The Westin Alexandria Hotel
Alexandria, Virginia
February 5, 2015

Approved May 5, 2015

TABLE OF CONTENTS

Call to Order, Chairman Douglas E. Grout 1

Approval of Agenda 1

Approval of Proceedings, October 2014 1

Public Comment..... 1

Consideration of Addendum IV:

 Review of State Implementation Plans Technical Committee Report 1

 Board Discussion..... 7

 Law Enforcement Report..... 15

 Board Discussion..... 17

Approval of State Implementation Plans and Conservation Equivalency Proposals 18

Other Business 24

 Rhode Island Tagging Report..... 24

 Delaware Bay, Hudson and Chesapeake Bay Biological Reference Points..... 24

 Winter Tagging Cruise Update..... 27

Adjournment..... 29

INDEX OF MOTIONS

1. **Approval of agenda by consent** (Page 1).
2. **Approval of proceedings of October 2014 by consent** (Page 1).
3. **Move to approve all state implementation plans including any conservation equivalency proposals for both Recreational and Commercial fisheries submitted to and approved by the Technical Committee for the states and jurisdictions of Maine, New Hampshire, Massachusetts, Rhode Island, Connecticut, New York, New Jersey, Pennsylvania, Delaware, Maryland, District of Columbia, Potomac River Fisheries Commission, Virginia, and North Carolina** (Page 18). Motion by G. Ritchie White; second by Tom Fote.
4. **Move to amend the motion to include an additional option for Maryland and the Potomac River Fisheries Commission for a spring trophy fishery, pending approval by the TC of one fish at 28-36" or one fish over 40"** (Page 19). Motion by Tom O'Connell; second by Martin Gary. Motion carried (Page 21).

Main Motion as Amended: Move to approve all state implementation plans including any conservation equivalency proposals for both Recreational and Commercial fisheries submitted to and approved by the Technical Committee for the states and jurisdictions of Maine, New Hampshire, Massachusetts, Rhode Island, Connecticut, New York, New Jersey, Pennsylvania, Delaware, Maryland, District of Columbia, Potomac River Fisheries Commission, Virginia, and North Carolina and to include an additional option for Maryland and the Potomac River Fisheries Commission for a spring trophy fishery, pending approval by the TC, of one fish at 28-36" or one fish over 40". Roll call vote; motion passes unanimously (Page 22).

5. **Move to adjourn by consent** (Page 29).

ATTENDANCE

Board Members

Terry Stockwell, ME, proxy for P. Keliher (AA)	Russ Allen, NJ, proxy for D. Chanda (AA)
Steve Train, ME (GA)	Tom Fote, NJ (GA)
G. Ritchie White, NH (GA)	Adam Nowalsky, NJ, proxy for Asm. Andrzejczak (LA)
Doug Grout, NH (AA)	Leroy Young, PA, proxy for J. Arway (AA)
Dennis Abbott, NH, proxy for Sen. Watters (LA)	Loren Lustig, PA (GA)
Jocelyn Cary, MA, proxy for Rep. Peake (LA)	Roy Miller, DE (GA)
Paul Diodati, MA (AA)	John Clark, DE, proxy for D. Saveikis (AA)
Bill Adler, MA (GA)	Tom O'Connell, MD (AA)
Bob Ballou, RI (AA)	Bill Goldsborough, MD (GA)
Mark Gibson, RI, proxy for B. Ballou (AA)	Rob O'Reilly, VA, proxy for J. Bull (AA)
Rick Bellavance, RI, proxy for Sen. Sosnowski (LA)	Kyle Schick, VA proxy for Sen. Stuart (LA)
David Simpson, CT (AA)	Louis Daniel, NC (AA)
Lance Stewart, CT (GA)	Michelle Duval, NC, Administrative proxy
James Gilmore, NY (AA)	Martin Gary, PRFC
Emerson Hasbrouck, NY (GA)	Steve Meyers, NMFS
Katherine Heinlein, NY, proxy for Sen. Boyle (LA)	Mike Millard, USFWS

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

Ex-Officio Members

Charlton Godwin, Technical Committee Chair

Kelly Place, Advisory Panel Chair

Staff

Robert Beal
Toni Kerns
Mike Waine

Katie Drew
Kirby Rootes-Murdy

Guests

Kelly Denit, NOAA
Danielle Rioux, NOAA
Emi Kando, NOAA
Thomas Farrugia, US House Cmte. on Natural Res.
Phil Langley, PRFC
Dan McKiernan, MA DMF
David Pierce, MA DMF
Eric Durell, MD DNR
Alexei Sharov, MD DNR
Angela Giuliano, MD DNR
Jeffrey Horne, MD DNR
Beth Versak, MD DNR
Simon Brown, MD DNR
Greg Kenney, NYS DEC
John Maniscalco, NYS DEC

Derek Orner, NOAA
Wilson Laney, US FWS
Peter Burns, NMFS
Steve Heins, NYS DEC
Pat Augustine, Coram, NY
Arnold Leo, E. Hampton Baymens
Jack Travelstead, CCA
David Sikorsky, CCA
Raymond Kane, CHOIR
Brandon Muffley, NJ DFW
Steven Anderson, Warwick, RI
Ed O'Brien, MCBA
Robert Brown, MD Watermens Assn
Danny Patchett, MCBA
Charles Marenka, MCBA

The Atlantic Striped Bass Management Board of the Atlantic States Marine Fisheries Commission convened in the Edison Ballroom of the Westin Hotel, Alexandria, Virginia, February 5, 2015, and was called to order at 8:00 o'clock a.m. by Chairman Douglas E. Grout.

CALL TO ORDER

CHAIRMAN DOUGLAS E. GROUT: Good morning, everybody. This is a meeting of the Striped Bass Management Board. My name is Doug Grout; I'm Chair of the Board. Our main task today will be to review and consider approving state implementation plans for Addendum IV of the Striped Bass Fishery Management Plan.

APPROVAL OF AGENDA

CHAIRMAN GROUT: We have an agenda here. Are there any changes or modifications to the agenda? Mark.

MR. MARK GIBSON: Mr. Chairman, I note that Rhode Island had made a request for an extension on the submission of I believe the tagging report. I don't see anything on here. I don't know if that needs formal board attention today, but I know we sent it in. We're hoping to get approval for that extension. I don't know if there are other states in the same predicament.

DR. MIKE MILLARD: Mr. Chairman, I wonder under other business if we could get an update on the winter tagging cruise from Charlton and Wilson.

MR. JOHN CLARK: Under other business I was wondering if we could add beginning to look into biological reference points for the Chesapeake, the Delaware, the Hudson, and the producer areas. Thank you.

MR. THOMAS FOTE: Yes; under other business to talk about the producing area status just briefly.

APPROVAL OF PROCEEDINGS

CHAIRMAN GROUT: Anything else? Seeing none; in your briefing materials there were the minutes of the October 2014 board meeting. Are there any changes or edits? Seeing none; is there any objection to approving those minutes as written? Seeing none; those minutes stand approved.

PUBLIC COMMENT

CHAIRMAN GROUT: We now have an opportunity for public comment.

This is public comment for items that are not on the agenda. I don't have anybody signed up. Is there anybody from the public that wishes to speak on items not on the agenda?

CONSIDERATION OF ADDENDUM IV

CHAIRMAN GROUT: Seeing none; we will move into our next agenda item, and that is to consider Addendum IV, state implementation plans and conservation equivalency proposals.

REVIEW OF STATE IMPLEMENTATION PLANS TECHNICAL COMMITTEE REPORT

CHAIRMAN GROUT: We're first going to have a report from both Mike and the technical committee on these. As you know, the technical committee had reviewed each of these proposals.

MR. MICHAEL WAINE: Good morning, everybody. Charlton and I going to tag team this presentation and walk everybody through the process that we went through after the board finalized Addendum IV. A brief outline for my talk this morning; I'm going to do a brief review, one slide, of Addendum IV. The technical committee established conservation equivalency criteria that Charlton is going to walk the board through.

The states followed that technical committee criteria when developing conservation equivalency proposals. The technical

committee reviewed those plans; and I'll integrate their comments into the implementation plans when I walk the board through those. We will then wrap up with LEC comments on those conservation equivalency proposals.

Just quick a quick overview of Addendum IV; I focused mainly on the final selections of this addendum that the states had to submit implementation plans for. For the coastal recreational fishery, the board selected a one-fish bag limit with a 28-inch minimum size and formulated that all conservation equivalency proposals had to achieve at least a 25 percent reduction from 2013.

The coastal commercial fishery; the final selection there was a 25 percent reduction from Amendment 6 quotas. Then for the Chesapeake Bay recreational and commercial fisheries; the bay states and jurisdictions had to submit a plan that achieved at least a 20.5 percent reduction from 2012.

I'll just remind the board that their fisheries were reduced by 14 percent in 2013; so ultimately through the finalization of Addendum IV the board selected to take those reductions from 2012 instead of 2013 for the Chesapeake Bay fisheries. Now I'm going to turn it over to Charlton and he is going to talk about the technical committee's criteria for the conservation equivalency proposals and general comments that they had about the implementation plans.

MR. CHARLTON GODWIN: As Mike said, I'm going to go over the criteria for the conservation equivalency proposals and some general comments. The technical committee had a conference call in November and had a face-to-face meeting in January to discuss these. Specifically, we discussed the methodology for states to follow if they wished to pursue options other than those in the addendum.

If they chose an option that was already approved in the addendum and had been analyzed by the technical committee, no further analysis was necessary. For the recreational fishery, we pooled three years of data, 2011 through 2013. That was the same that was done for the rest of the plans in the addendum.

The treatment of sublegal harvest or trips that exceeded the bag limit; we assumed perfect compliance for 2015 but imperfect for 2013 based on we just can't predict what the compliance rate is going to be as far as fish over the bag limit or under the size limit. Post-release mortality numbers used in these analyses; we used 9 percent unless states had other data to estimate another mortality rate. We did have states that had a few other studies that they had done that had different mortality rates.

For supplemental data; we asked the states to describe the data source such as a volunteer angler log and characteristics of the data set, the methodology of sample size, things like that. If treating modes separately such as private shore versus charter modes, the states were asked to conduct mode-specific analyses. The total state-wide reduction must achieve at least a 25 percent; but an individual mode could have less than 25 percent reduction for that particular mode as long as the combined reductions did equal 25 percent.

The same thing for treating the different seasons; if spring versus fall, we've asked to conduct season-specific analyses. Regional proposals can combine data from all states in a region. For the commercial fishery reductions; if the state would like to maintain a previously approved conservation equivalency proposal, then the states were required to resubmit the proposal using the new Addendum IV quota baseline.

If states with previously approved conservation equivalency plans chose to increase the minimum size back to 28 inches; then there was no analysis needed as that would be more

conservative. If states submit a conservation equivalency to increase their commercial quota based on increasing the minimum size, then the estimate of dead discards was included.

Just some general comments about all of the plans – and we've kind of touched on some of these before; but there is still a greater uncertainty in obtaining the percent reductions of simple management measures relative to the more complex measures. As you increase the complexity, slot sizes, that sort of thing, then it is just less certainty around the estimate of the reductions.

Changes in the angler behavior, effort, poaching, discards; these cannot be accounted for as they cannot be quantified and may impact the overall calculated percent reductions. 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 of having differing regulations in neighboring states. Due to that latter fact, the board may want to and has considered regional approaches to management for states that are proposing similar management measures.

MR. WAINE: Now I'm going to go through each state's implementation plans as well as their conservation equivalency proposals that they submitted. At the beginning of the meeting, Marin passed out the technical committee memo that contains a fairly concise summary of all the different options that the states are considering for this addendum.

I'm going to be walking through each of the plans and the options; and so if you want to follow along with me through that memo, that would be a good way to keep up with where I am with all this. I'm going to start with the recreational plans and go through all of those for the recreational fisheries and then I'll go through the commercial fishery and the different options that were proposed for that.

The other thing I'll mention in all of these tables is that I'm going to focus on the options that I'm basically calling new, which options that were not previously considered through Addendum IV. If you see in this other column B-1 or reference to the B table, that came right out of the addendum, and those were options that we scoped through the public comment documents.

I'll just focus new, noting that there are some states that are considering options that we've explored. As Charlton mentioned, the technical committee did not need to do a further analysis on those options because we already did that analysis through the draft addendum.

Starting with Maine, they are considering a slot size for their recreational fishery. I'll note that all of the options that I'm presenting to you achieve the necessary reduction, whether it be 25 percent along the coast or 20.5 percent in the bay. Maine has a slot option they're considering. New Hampshire is going with one fish at 28 inches for their coastal recreational. Moving to Massachusetts, there is a little convention here that I want to walk you through.

In this second column, PR refers to private mode and FH refers to the for-hire. I maintained that convention through all of these tables. It is written out on the document that you're flipping through. For Massachusetts; they have three options that they're considering; the default one at 28 and then two options that split out the for-hire mode for the recreational fishery with either a two-fish bag at 32-inch minimum; or a slot/trophy fish combination, which is Option C here.

For Rhode Island; they also are considering a split mode option very similar to one that Massachusetts proposed, which is that 2 fish at 32 inches for their for-hire mode. Connecticut is also considering that two fish, 32, for their for-hire; and their analysis included both Connecticut and Rhode Island data. There are some implications for a little bit of a regional

approach here, which we will probably discuss a little later.

As I mentioned when I started the presentation that I will be inserting technical committee comments if there were any on some of the options when appropriate; so this was one for Connecticut. The technical committee acknowledged that Connecticut didn't assume perfect compliance with their recreational bag and size limit analysis, which resulted in more conservative reduction estimates than assuming the perfect compliance.

This was part of the criteria that the technical committee established and Connecticut wanted to take the more conservative approach than what the technical committee established; so they wanted to note that about their implementation plan. Moving on to New York – I joked with the technical committee that if they could submit concise and simple implementation plans I'd give them a gold star. Sorry, Jim, New York did not get one of those.

I'm going to talk about the – their marine options; I don't see a slide on it, but I'll refer to the table here. I'm on Page 3 of the technical committee memo; and the marine options for New York were – they had a bunch of options that they considered from Addendum IV as well as they also considered this split-mode, two-fish option for the charterboats.

I'm now back to the slide that talks about the Delaware River. They are submitting the default for that. Then they have a series of options for the Hudson River that they're considering. There are various combinations of slot and trophy fish options, all maintaining a one-fish bag. The other part that went into some of these Hudson River options was the use of a circle hook.

Basically, as Charlton was mentioning, the technical committee said we're going to assume 9 percent post-release mortality, which is the post-release mortality we're assuming based on the study that was conducted by our colleague,

Mr. Diodati. We used that unless there was a better estimate of post-release mortality from a study for that region.

That is essentially how some of these options are different in that they assume a different post-release mortality for the use of circle hooks, which decreases that mortality on release because it is not as hard on the fish. That's where all of these options are playing out. There is more on this slide as well; the combination between the timing of when the options would be implemented. The take-home message for all of these options is that they achieve the reduction that is necessary and they all followed the criteria that the technical committee established. Some of the comments were that the technical committee noted that all the options met the necessary reduction regardless of which release mortality rate was used.

Moving to New Jersey, we've got New Jersey considering two separate slot options. They'd like to maintain a two-fish bag limit; one having a slot which is 28 to 43 and then one over 43; and the other is 29-inch minimum to 36 and one over 36. Both of those options achieve the reduction; and just remember those options when we get to the commercial side of things.

Pennsylvania submitted one option broken down by the estuary and the river. They have the slot fishery that they've had over previous years in the Delaware Estuary, maintaining a 2-fish bag for this shortened season and then the estuary and river options for other times of the year as well. Once again, that passed the technical committee criteria and met the reduction.

The Delaware options; you can see the first five of them came right out of the addendum table; so those options were options we've already scoped. Then the new option was a conservation equivalency option that looked at a no-harvest limit and a 2-fish for both this season and then a fall season as well. There is a split option there that they're proposing as a

conservation equivalency and that also met the reduction.

Okay, moving in Maryland, this is where we start getting into both the coastal and the bay options. This table shows that for the coastal fishery Maryland is moving towards the one fish at 28 minimum; and then their trophy fishery has – I just alert the board that the spring trophy fishery in the Chesapeake Bay is managed as part of the coastal recreational fishery.

What that means is that for management purposes these options were achieving a 25 percent reduction. They are considering two options for that trophy fishery. One is just a 36-inch minimum at one fish and the other is an option that explores allowing their charterboats to get one extra fish in addition to the one per person at 36. Both of those passed the necessary reduction.

Moving into the Chesapeake Bay fishery, this is where it was a 20.5 percent reduction instead of a 25. They're exploring basically an option that came right out of Addendum IV; so it is an option that the technical committee had already vetted through the draft document process. They were selecting that option outright because it achieved the 20.5 percent reduction.

D.C. is selecting that same option for their fishery. PRFC has very similar models that were modeled directly off of what Maryland submitted. These trophy fish options are exactly the same as Maryland proposed; and also for their summer/fall fishery, that came right from the addendum. We're down to Virginia. We're still on recreational options here. You can see that they're exploring four options from the addendum so nothing is new there for their coastal fishery.

For their Chesapeake Bay fishery; they're using that same option that Maryland and PRFC was proposing; and then they the trophy fish option that is looking at one fish, 36-inch minimum.

They're not exploring that charterboat additional fish. They have a little bit of a variation on their Chesapeake Bay with one fish over 28 inches instead of just the slot.

The last recreational state here is North Carolina and they are simply going with the default 28-inch minimum, one fish. Now we're going to move into the commercial options. If you're following along with me, I'm on to Page 7 in your technical committee memo. I'll start by saying that there are no commercial fisheries or these following states/jurisdictions do not use their quota. That is Maine, New Hampshire, District of Columbia and Pennsylvania.

For the state of Massachusetts; for their commercial fishery they are maintaining their 34-inch minimum size limit commercially, which results in the following quota, and their season runs basically in the summertime.

For Rhode Island; Rhode Island has two options here. The difference comes out in this floating fish trap gear; and so they had to submit a conservation equivalency if they wanted to maintain a smaller 26-inch minimum size for their commercial fisheries. You will see in the table that for that floating fish trap; there is an adjustment of the quota to account for that smaller minimum size. That was part of their conservation equivalency proposal and they're still choosing between those two options.

Connecticut is a state that has a recreational bonus fish program. The way these programs work is they are based off of a voucher system and they allow recreational anglers to catch one additional fish. They have to maintain this voucher. They have to fill it out when they catch that additional fish. They have to send in that voucher to give the biological information on that fish.

For the state of Connecticut, that includes both the Connecticut River and marine waters. This is a program that they've had previously and they are submitting to maintain that program. For the minimum size; it is a 22-inch minimum

for this bonus fish; so that is in addition to their recreational options. Their season is open all year. They took a 25 percent reduction from the amount of vouchers they issue; so that is how they're achieving the reduction from their quota.

For New York, once again a state that is potentially exploring conservation equivalency based on allowing for a smaller fish. You can see very clearly an adjustment of their quota if they end up going with allowing a smaller fish minimum size, there is a reduction taken from the quota to account for harvest on those smaller fish with a season that starts in the summer and goes until basically the end of the year.

New Jersey is another state that also has a recreational bonus fish program. This is where I was making the note to remember what their recreational options were because depending on how they go recreationally, that will decide whether they go one fish 24 to less than 29 versus this just 28-inch default.

If they end up going with this one fish 24 to less than; that will – that 28 or 28-inch minimum size will depend on how they went for their recreational fishery option. That season is open all year, very similar administration of this program as Connecticut's voucher system, submitting those vouchers, getting information on these bonus fish.

Moving to Maryland; for basically their ocean commercial fishery, they've submitted conservation equivalency for this smaller minimum size, resulting in the quota as shown. Then for the Chesapeake Bay fishery, they are submitting two separate options that look at different slot limits and you can see a different minimum size; and so you see an adjustment of the quota based on that change to the minimum size. Contrary to plans we've just talked about that were looking at decreasing the minimum size; Maryland is looking at increasing it.

Based on that, the technical committee had some concerns about whether that would increase discards due to the raise in that minimum size in basically this 2011 year class that is coming into the fishery. To account for that, Maryland went through some discard analyses that showed basically the tradeoffs between those discards that would occur from raising the minimum size versus the actual harvest that would occur from keeping that minimum size at a lower 18 inch.

The technical committee was happy to see that they went through that analysis. Then just to sort of bring us through the rest of the jurisdictions and states here; PRFC submitted for their commercial fishery, which obviously is just the bay, they took a 20.5 percent reduction from 2012; and so this is what is resulting for their commercial fisheries in their jurisdiction.

Then Virginia has their coastal fishery taking the reduction and keeping a 28-inch minimum; and that the bay is considering an 18-inch to 28-inch slot for a season and an 18-inch minimum for a different season; so they have this combination which harvests off this quota that meets that reduction.

North Carolina is the last state again for the commercial options; and they are just taking the reduction right off their Amendment 6 quotas and maintaining a 28-inch minimum size. That is a pretty quick run-through. As I said, you've got all the options and the tables in front of you; so I'd be happy to answer any questions, Mr. Chairman, if there are any.

I apologize; apparently New York is not the only one I missed. Delaware's commercial program, which is in your table here on the bottom of Page 7, simply put, they took the reduction from their Amendment 6 quota; and there is just a described split between the gill net and the hook and line, accounting for the different minimum size. That was an option that also achieved the reduction as necessary.

BOARD DISCUSSION

CHAIRMAN GROUT: Are there any questions? Ritchie.

MR. G. RITCHIE WHITE: I have two questions, if I may, for Charlton. The first is if you could explain why the technical committee used imperfect compliance in 2013 but then did not apply that to these options that you were assuming perfect compliance for these options. Why was not the imperfect carried through to these?

MR. GODWIN: For the 2013 data, we had the MRIP data and we could kind of look to see the amount over the bag limit or potential undersized limits; but for projecting that future forward for projections, there was just no way to predict what the imperfect compliance may be moving forward in the future; so we just decided to go with the assumption of perfect compliance. There is just no way to predict angler behavior and that sort of thing.

DR. KATIE DREW: Can I add to that as well? The other issue is a lot of states have sort of extremely specialized regulations and some places like bonus programs or seasons that don't match up with the waves or things like that where regulations are different between what is technically that you – some of these trips you can't tell if it is non-compliant or if they're under a bonus program or if they're under a special slot or season limit. MRIP doesn't collect that kind of data, so in some cases in can't actually tell what is compliant and what is non-compliant under extremely specialized regulations. That also makes it more difficult to apply that same level of non-compliance in the future.

MR. WHITE: Then going forward with these proposals – I'll take Maine, for example, their two proposals. One fish at 28; does that – the reduction in that, which is 30 percent, I believe; and their slot, which I also believe is a 30 percent reduction; so both of those assume perfect compliance?

MR. GODWIN: Yes, sir, that is correct.

MR. THOMAS O'CONNELL: I'm trying to get a sense of how collectively both the recreational and commercial coastal management options are expected to perform as it is related to the 25 percent reduction. At the last meeting in October we had a lot of discussions in regards to the coastal commercial options having a different baseline from 2013.

I know a lot of the New England and some Mid-Atlantic states recognized that and were approaching the coastal recreational with options that were going to achieve a reduction greater than 25 percent. For example, the one fish at 28 inches was going to provide a 31 percent a 31 percent reduction; and the thought was that would help compensate for the coastal commercial not achieving a reduction on a similar base line.

I now see a lot of options coming in that I suspect are shooting for the 25 percent rather than a higher reduction on the coastal recreational. Do we have any sense as to how the net result is both commercial and recreational on the coast side is going to achieve a 25 percent reduction or not?

MR. GODWIN: I don't know that we can say what probability if it was going to achieve one way versus the other. I mean the uncertainty with the future harvest both for recreational or commercial; I'm not sure we can – do you have anything to add to that, Katie?

DR. DREW: Potentially we could do it on paper. The technical committee did not do that kind of an analysis because that is basically never how we handled conservation equivalency before. In the past we have never – the states bring forward their proposal. We evaluate the proposal to make sure that it meets the technical merits in terms of methodology and that it meets the reduction that the board required, in this case 25 percent.

We don't go back and states who choose to keep the rules that the board passed in the first place – we don't go back and reevaluate how all of this falls out again. If the board wants us to do that, we can; but that is never how we handled conservation equivalency in the past.

MR. O'CONNELL: I would be interested in hearing from some of the New England and the Mid-Atlantic states that at the last meeting were strongly advocating they were going to go with a higher reduction for the coastal recreational, and it appears like they're not, and what their sense is at this point in time, recognizing that the coastal commercial is not going to achieve a similar reduction.

CHAIRMAN GROUT: Is that in response?

MR. DAVID SIMPSON: Yes; to that I expressed those concerns at our board meeting in October that the sum of the parts is not going to achieve the intended goal, which was to reduce 2013 harvest by 25 percent in 2015, this year, on the coast. If you recall, I actually made a motion to require conservation equivalency to reach that 31 percent that we thought the one at 28 would reach in an effort to balance off the lack of achieving that 25 percent reduction in the commercial fishery.

There actually could be an increase because all we did was cut 25 percent of an Amendment 6 allocation. Many states don't even use their quota so we could actually see an increase there. Likely it would be about a 15 or 16 percent decrease as I recall when I looked at it back then; but it won't be 25.

The bay, we acknowledged because of changes made in the previous year, we're after 20.5 percent relative to 2012; so less than that for 2013. Of course, to me our operating background information was that if overall on the coast in 2015 we achieved a 25 percent reduction in harvest, we would have a 50 percent probability of achieving our target F in one year.

I think that was sort of underlying theme and motivation. As always happens in my experience, once we approve measures as we did in October, then the technical people go back and they start working closely with their commissioners, with their bosses, to do conservation equivalency, we begin to learn more about the underlying calculations at that point.

In fact which both Charlton and Mike have brought up, this idea of how you handle non-compliant fish becomes very important. But it is a difficult question; and I understand the technical committee, no, you can't predict future behavior; but in effect we kind of did in this case because we said imperfect will become perfect; so we did predict it.

That's different than how the summer flounder technical committee handles non-compliant fish. So for striped bass on the coast in 2013 we had interviewed fishermen who actually showed a creel agent up to ten fish that they harvested themselves. So frequently – not frequently; but it occurs that there are fish over the legal bag in that state up to ten fish.

The methodology we used this time around we said all those will become one fish, under a one fish at 28 inches scenario. What the summer flounder technical committee does is they say if you took eight fish last year under a two-fish limit, you're going to take eight next year under a one-fish limit; so you assume no change in behavior.

The difference is pretty significant because if you use the method that we've used here, you get a 31 percent reduction. If you use the summer flounder technical committee method, you get an 18.5 percent reduction. So not only does one at 28 not subsidize other shortcomings, but it, itself, is a significant shortcoming to the 25 percent goal.

I look at the summer flounder technical committee and I say they've been under the screws for 20 years to produce a good estimate

because we can't – we have to meet the scrutiny of the Magnuson Act. You know, when we met yesterday on summer flounder – so we've talked about this recently – our target was, what, 95 percent of the RHL for 2014.

We landed 99.4 percent; that is pretty good work. But even there we went over by 4 percent; so if you apply this methodology, you're going to go way over. That would be my concern; and I think it is something that we have deal with here when we either accept or don't accept conservation equivalent measures.

We have to understand there is a significant difference in just this one little facet of how we did the calculations. I don't mean in any way to disparage the work that was done. A tremendous amount of good work when into this; but I think that is why Connecticut used a different method. When this became apparent, we felt in good conscience we needed to make that adjustment and do what we do for summer flounder; not change methods as the same person moves on to the next species and so we can do it this way now. That is where we are.

We're pretty concerned that we're not going to reach that – I'm almost certain we're not going to reach that 25 percent reduction target; and so looking ahead, if we go over and every state has moved from fairly consistent regulations to very different regulations, I'm afraid, as my technical committee person pointed out, we're backing right in to state-by-state quotas because where do you move from there? You're all at a different point.

I would really urge – I was going to save this for later; but it is coming up now – I would really urge some conservative movement and some consistency, sort of a rallying call around one at 28, let's keep it simple this year. We certainly have the public behind us on this. In every state from the reviews I've seen; let's keep it simple, let's see what happens in 2015; and if we need to make adjustments, at least we're on the same page.

MR. ROB O'REILLY: Wow; okay, David, thank you. I had a correction, if I may, Mr. Chairman. It was pointed out to me by Kelly Place – and he is right – that when you go Page 8 in the tables that were handed out, the Virginia scenario for the commercial has the season ending at 18-inch minimum on March 21st.

That should really be March 25th; and then after March 25th, that is correct, March 26th to June 15th is that slot, which has been on the books since 1995 to offer both American shad protection and spawning of striped bass stock protection. I had that; and then I would like to – before I ask my question; it will be a question; but another thing I just think I heard from David, who had really good information, it looks like there should be a 13 percent increase from the coastal commercial option that was adopted by the board; so a 13 percent increase.

Granted, the landings are skewed towards the recreational side as is discards overall; but nonetheless we're starting out – and we knew it after the last meeting – we're starting out sort of not going to get close to that 50 percent probability based on everything we know. Concerning the big topic here, you know, what happens with a, I'll say, mishmash of regulations along the coast?

If it goes that way, it tells me that there really isn't serious concerns about striped bass; that it is not overfished, overfishing is not occurring. We are required by Amendment 6 to move to or below the target; but when I saw everything come out, all the different options, it sort of reinforces that there is not really seriousness about the approach that we're trying to take.

I think my colleagues in the bay and I spent a lot of time in June, August and October indicating why we felt certain conditions in the bay were in a certain manner for the type of reductions were much too high that were proposed. Those won't be reiterated; but we knew that most of the increase in the coast-wide fishing mortality rate really could be attributed more to the coastal fisheries.

That is not in any way to mean anything different than what I said before the regulations allowed that. The regulations allowed those increases for part of Amendment 5 and parts of Amendment 6 up until about 2005/2006; perfectly legitimate. It is just that the bay was sort of held at ground zero through quotas on recreational fisheries.

My question after that is I think we could spend a lot of time thinking about this mishmash of coastal regulations and where they end up; and if we don't heed David's advice on let's keep it simple – we've got adjoining states, we all came into this throughout this process talking about wanting to be conservative – if that doesn't happen, then I would ask that at least once everything is settled, once the regulations are in place, there should be the ability for the technical committee to take what options there are and provide information to the board as to really what has happened with these regulations in terms of attaining even a 50 percent probability of lowering the fishing mortality rate to or below the target.

I think that is something that they can do. Right now it is awfully uncomfortable for anyone to consider before we know what everyone is going to do, what that might result in. If the technical committee had tried to do that, they would have needed a very long meeting to try and figure out all these combinations. Thank you very much; that was the question that I hope after the fact, when we get through this, that we get some information back as to with the statistical catch-at-age approach where do we stand before we really get involved in the implementation phase.

CHAIRMAN GROUT: Thank you; and I appreciate the comments here. If we could try and address any questions you have here – and I appreciate all the concerns that have been brought forward. We will be debating and discussing these. Right now I have Mark Gibson, Tom Fote, Dennis and Michelle.

MR. MARK GIBSON: I do have a question. Early on in the presentation, there were two very important I think caveats or concerns that the technical committee expressed; one related to the complexity of the options; the other I think related to angler behavior. My question is, were those two specific concerns taking into account of any way – it seems that when we get this – and everyone has spoken to the litany of options that exist here.

They all seem to assume the same equivalence or the same likelihood when they were on our sheet of paper and they all made it through the technical committee's filter. It seemed that there needs to be in this sort of evaluation some other metric that somehow formally expressed those concerns that they have.

I'm wondering if you did anything or talked about anything like that so that when we see this long list of options, we would have a sense that, okay, option so and so in this particular regulation has less likelihood of achieving its objective than does the other for whatever the reasons may be. Once we get this whole list of things, everybody is looking at them as being the same; okay, the technical committee said they're all good to go.

DR. DREW: No, we can't; and that is I think the entire thrust of the technical committee's point is we can't quantify that stuff. We can't quantify how angler behavior is going to change in the future. We can't quantify how likely it is that these measurements will work; that a more complex measure will presumably, we assume, have some lower level of compliance than extremely simple regulations; but we don't know what that difference is. So, yes, on paper all of these achieve the correct reductions, using the same methods and same assumptions that we used to create the original table of options that went out for public comment.

But, we want to stress that there is a tremendous amount of uncertainty that we cannot quantify in these analyses; and that is

what is going to make achieving or not achieving our reductions difficult in the future.

MR. GIBSON: Mr. Chairman, I understand the angler part of it, but the caveat before that had to do with the complexity of the options, particularly the slot limit; so I would like to hear again what is it in the slot limit analysis that is reducing your confidence in those.

DR. DREW: Because it relates back to our concerns about angler behavior; also, partly because of the uncertainty in the data itself; that we're working with relatively small samples sizes and things like that.

We could go back potentially and come up with some confidence intervals around that; but again that is going to understate the true uncertainty because we don't know how that's going to affect angler behavior in the future in terms of compliance and also in terms of how much effort people are then willing to direct towards this fishery if you have a slot limit as opposed to a minimum size. That is really I think the underlying uncertainty that we cannot grasp around these calculations.

CHAIRMAN GROUT: Mark, on the first page of their memo they have some general comments on conservation equivalency proposals. It says greater certainty in the percentage reductions of simple management measures, for example, changes in bag limits and size limits; relative to more complex measures, slots and trophy. Enforcement of proposed regulations need to be considered. I think they brought out some of these concerns in their memo to us and you can all read that in their memo. Tom Fote.

MR. FOTE: Mr. Chairman, I was going to respond to Dave Simpson's, Tom's and Rob's remarks; but it really belongs in the comment period, unlike the three of them, so I will wait if you will recognize me when the comment period comes up first so I can discuss that. Thank you.

MR. DENNIS ABBOTT: I do thank the technical committee for all the hard work that they do. I

think we've given them a difficult task. I was amazed when I saw the summary of all the proposed regulations how we went in October from one fish at 28 to eight pages of proposed conservation equivalencies.

I was reminded of the gospel that Jesus turned the loaves and the fishes into many to feed the masses; and I drew that analogy to what we have done at this point. It seems to me that the end result of all of this is almost an exercise in futility. Because of the uncertainty, I don't believe, personally that we'll probably achieve what we've set out to do.

I do have question to the technical committee. If we approve all or most of the coastal recreational conservation equivalencies, why wouldn't any of the states be able to choose to allow any of those choices to be implemented in their own state without further ASMFC proposal?

For instance, if a slot was approved, why couldn't New Hampshire in their own regulations say we're going to go to that slot or we're going to do what Rhode Island has available to them? Why wouldn't we be allowed to do that? I'm sure you have a good answer for me.

MR. GODWIN: The analyses were done state-specific with the MRIP data for the reductions. A couple of states – I think Connecticut and Rhode Island – combined data; but otherwise each state looked at their own intercept data to determine what percent reduction they would get based on what minimum size, what slot limit, what bag limit. That is the short answer, I guess.

DR. MICHELLE DUVAL: Mr. Chairman, I have what I think is a quick question and one that I think I may already know the answer to; but I just wanted to ask it on the record because I think it underscores some of Dave Simpson's comments, which I support. Prior to this 2015 season, have any of the states or jurisdictions implemented different regulations for the

private shore mode versus the charter/party mode? In other words, have we had differential regulations in any of the states for different recreational modes?

CHAIRMAN GROUT: Mike, can you answer that?

MR. WAINE: The one that pops to the top of my mind is New York. Am I wrong about that, Jim, or am I right about that? I'm seeing a nod yes; so that is the one off the top of my head that comes to mind. Generally speaking, Dr. Duval, the private and the for-hire modes have been treated under one regulation for a vast majority of the states and jurisdictions.

MR. JAMES J. GILMORE, JR.: I have a question but just a little preamble. I'm sorry I didn't get my gold star for my plethora of options here; but one of the things I wanted to ask on this question was the excessive number is really on the Hudson River. The reason there are so many in there is because the Hudson did not have any spawner protection as did the Delaware and the Chesapeake.

We wanted to strive to actually provide some level of spawner protection in the Hudson with these measures; and that is why so many came out because it was kind of a new thing we were doing. The question is now everything we did in there was to meet that 25 percent. There was no way to quantify a benefit from spawner protection from what I understand. Getting back to what Tom and Dave were talking about before, even though we were only hitting 25 percent; actually that spawner protection we're trying to achieve in the Hudson actually would give us probably a benefit that we can't quantify; is that correct, Mike?

MR. WAINE: I wasn't expecting that question to go to me; but, yes, if I understand the question, it was the technical committee reviewed the proposals based on the percent reduction in harvest but weren't able to analyze what those different options would mean for the reproductive capacity of the stock.

I mean, that also applied when we scoped all of the options in the addendum – I'll use the coastal fishery as an example. When we were out for public hearings, that was a question that came up a lot was how should we evaluate this – what is going to be the most beneficial to the resource, one fish at 28 or two fish at 33; they both achieve the harvest reduction? My response to that was there is too much uncertainty to estimate that from a biological standpoint; so it ultimately becomes a question of what do you prefer, to have access to two fish or get the access to the smaller size?

MR. PAUL DIODATI: This conversation is reminding me of something that Bill Belichick said: "I think we've got to concentrate on the game," and we seem to be getting caught in a little bit of a do-loop. Without having a complete amendment redux, I think we have to just face the fact that we allow conservation equivalency.

I agree with particularly Dave Simpson that perhaps we've been too liberal in our thinking with conservation equivalency at least in this fishery and probably others; that it is almost an impossible task to judge what the outcome is going to be, especially those probabilities relative to 50 percent likelihood of achieving your goal. You just can't be assured of that.

I think we all individually have come to that conclusion prior to this meeting; and that is why in Massachusetts, although we haven't ratified what regulations we'll have in 2015 yet and we are proposing a couple of conservation equivalencies, I've made it pretty clear that we're going to go with one fish at 28 inches in our recreational fishery. At least that is what I'm going to recommend to my Marine Fisheries Advisory Commission.

Just because I wholeheartedly agree with David's concerns and some of the others around here that it is important to remain as consistent and simple as possible to improve compliance enforceability, understanding these regulations, I think it is the most cohesive

approach that we can have to assure that we get the protection that we're aiming for. I really don't have a question; but I appreciate the time.

MR. STEPHEN R. TRAIN: Mr. Chair, the last few minutes I felt a lot smarter, because when I looked at this I thought maybe without a marine science degree I was totally lost to what I was looking at in front of me. I see some pretty bright people that are lost, too. My question is can we regionalize this a little bit better and still get the states to have a conservation equivalency?

It appears to me that most of New England is very happy with 28 inches. The Mid-Atlantic Coast has a whole bunch of things. I'd like to see maybe two or three options on the table and not twenty-seven. Can we get some data and get what is consistent for New England and Mid-Atlantic if we're going to run conservation equivalencies and allow these states to use them instead of coming in with sixteen different plans plus sub-plans for each region in the state?

These fish cover the range of the resource and I'm kind of nervous when we've got all these different plans on the table; so I'd like to see something. If it is possible, can we do that more regionally than state by state on this? I know we allow conservation equivalency by state; but I sat here now for four years hearing Tom Fote say, "I hate conservation equivalency; every time we do it, something gets messed up." I'm looking at this thinking I might agree with him.

MR. FOTE: You have never heard me say that, Steve. As a matter of fact, if you remember the summer flounder conversation that we should have been able to use conservation equivalency. I'm going to comment since everybody else seems to be commenting, Doug, so I will break the rule and comment during the question period.

Let's see what we did. We basically decided that we should take a 25 percent reduction all across the board. We also then voted – and New Jersey voted the same way – that because of what went on in the commercial fishery in the coastal waters; that we really weren't going to force them to take it off the 2013 catch, but we were going to take it off the quota.

That was a decision by the board, understanding that it maybe not accomplish – if North Carolina doesn't get fish again, if we don't use the bonus tag and other things don't go on, it could happen the same way, the fish don't show inshore, all on the coast they stay offshore, we could wind up being below the 25 percent; so that is a guess in itself.

Then we basically decided on the Chesapeake Bay. They were supposed to take a 25 percent reduction, also. They basically did not do that.

We basically said, well, we're going to let you take a 20.5. Again, we said by the way we're not going to take it off the 2013 catch figures; we're going to take it off of the quota you had in 2012, which actually only comes down to a 6 percent reduction. Then we said but the recreational fishery along the coast will stay with a 25 percent reduction using conservation equivalency the same way we have done for 20 years.

Now we are sitting here debating conservation equivalency. We have to go out with another plan for regionalization and everything like that. It also has been clear over the years that the recreational catch and the commercial catch are separately and should be treated as separate entities.

It was a point in '94 when we tried to use the savings on the bonus tag program to basically do our recreational fishing and it was made clear by this board they are treated as separate entities. So, if you're worried about not achieving it, then we need to go back and look at the 25 percent coastal catch. That is the only

way you do it. This plan does not allow to do it from one side or the other.

You make the 25 percent reduction on each side. If you let it go on one side, then that's your problem and not with the other community. That's clear in summer flounder; that is clear in a multitude of species. The only species we allow to do that bluefish because we've been transferring unused recreational quota for almost 15 years now.

I just want to make that clear because we have short-term memories of what we actually did for everybody to give them breaks. When it comes to the coastal recreational fishery, now we're saying, oh, we might not have done enough. Well, we didn't do the same thing in all those other jurisdictions; so I'm seeing this as a little disingenuous.

CHAIRMAN GROUT: Mike, you had a response you wanted to bring.

MR. WAINE: I wanted to just follow up on Steve's question about the regional approach. When the technical committee met to establish the criteria for the conservation equivalency proposals, we discussed at that time that there is the potential for multiple states to be considering options that are similar, especially neighboring states.

We encouraged the states to work together because ultimately through the analysis that was done they could pool data regionally to demonstrate that the reduction of a specific option that each of those states in the region was wanting to adopt could achieve the reduction using data pooled regionally.

We encouraged it and you saw some of it – like Connecticut's analysis included Rhode Island data – so there was a little bit of that happening, but there wasn't strong amount of support for that clearly as you see how the options are differing by the states. That was an approach that we encouraged. It just didn't

happen to play out because of all the different avenues that the states pursued for these plans.

CHAIRMAN GROUT: Okay, keep in mind that as we are getting into debate here, we still have a Law Enforcement Report on that and I would like move forward. I do have three other hands that have come up. Ritchie, you had your hand up.

MR. WHITE: I wondered if you were ready for a motion, Mr. Chairman.

CHAIRMAN GROUT: No, because we have a Law Enforcement Report. I have Dave Simpson and then Rob O'Reilly.

MR. SIMPSON: Yes, just really quickly, because it has come up a couple of times. Our proposal to do one at 28 on the private angler mode, two at 32 on the party/charter mode where we borrowed Rhode Island data; we did that because under the methodology we used it was the only way we could achieve 25 percent.

We can't get there with our own data because our catch rates aren't high enough. We can only use that, in my view, if only Rhode Island, not New York, adopts those measures; because once New York gets added in at that same type of approach, we fall below 25 percent. That is why we did it. It wasn't so much of a sense of the team; it was a defensive move that I had to make, but that is the only way works is if I steal leftovers from Rhode Island.

MR. O'REILLY: Mr. Chairman, I think Steve Train should have posed that a little while ago because I think that is an opportunity missed that we didn't really pool; but I did have a question for Charlton or Katie. It is a harvest reduction, but in most of these options the lengths, the distribution of lengths is very important as to what is going to end up having that reduction in harvest.

I'm just wondering, since I thought Mark Gibson had a good approach to try and figure out another metric that we would have looked at,

what about the length distributions? Was there anything about the lengths that were used and the technical committee talked about that made some of the options a little more secure than some of the others? Did that get talked about?

I know in Virginia that we had to – we didn't have enough MRIP data for 2013; so we had to borrow from other years; but I don't really know what all that discussion was about the different data the states had when you looked it. Clearly, did you think that the distribution of lengths was adequate for the harvest reductions that are here today?

MR. GODWIN: I'll start and Katie has anything to add. That really gets to the uncertainty question again. Because of the limitations in the data and the number of intercepts, the more you start breaking out slot limits, a slot and a trophy, you're truncating the data that you're looking at more and more and more.

I don't know if we can actually look at probabilities associated with different lengths, but I think that really gets to exactly the uncertainty question. When you have all the data lumped together, if you just have one minimum size or just reducing in one bag limit, there is much more data in that analysis. The more you truncate those slot sizes and those trophy sizes; that is where that uncertainty comes because you are getting smaller and smaller sample sizes. Like I said, it does work out on paper, but it is just the more complex, the fewer data that is in the analysis.

CHAIRMAN GROUT: Okay, further questions before we go to the Law Enforcement Report? Seeing none; Mark.

LAW ENFORCEMENT REPORT

MR. MARK ROBSON: The Law Enforcement Committee met by conference call on January 26th. We were asked to take a look at these conservation equivalency proposals; and we did so, There were about 16 members at the call

and another couple have weighed in since that time with e-mails. It was a good representation of the Law Enforcement Committee on that call.

Mike Waine did a great job. He walked us through all of the various proposals just as he did this morning. There were a variety of comments that the Law Enforcement Committee made; and I would like to quickly go through those. We provided a memo also to you with a little more detail, but I'm just going to try to walk through the main points that are up on the screen as well.

The first and foremost, especially given some of the discussions this morning that I'm hearing, clearly the Law Enforcement Committee understands conservation equivalency and the desire to try to accommodate individual needs for states or regions. However, obviously a single size and bag limit for all of the various recreational modes is preferred by us.

It is going to ensure the greatest enforceability on the water, dockside or anywhere else on land; so to the extent possible, one size and bag limit for all the recreational modes. Another key point – and I think I heard it this morning – this is a big and complex fishery. There is a lot of participation. Our enforcement experience is that in general voluntary compliance for the more casual or infrequent anglers is really going to be tied to regulatory simplicity.

When you start adding slot limits and trophy fish provisions; these are things that are enforceable. However, they can and do increase unintentional violations, especially for those casual or infrequent anglers. Going back to some comments that we made about the addendum last year, I will reiterate one that was made regarding a slot size or size limits combined with trophy fish allowances on charterboats or large partyboats.

These also are enforceable. They do add a significant level of complexity to enforcement in checking these large party vessels. Without going into a lot of detail, it takes a good bit of

effort to actually physically check the landings and the number of clients on a particular boat at dockside. When you add filleting on board to slot limits or trophy fish limits, that complexity is significantly increased. It creates a lot more problems for the officer at the dock.

Of course, we also recognize that there are occasions where you have different size or bag limits for the for-hire sector versus say private angler sector. This can be a real problem at the marina or at the dockside or even in the parking lots if you have co-mingling of for-hire customers with private anglers and there are different recreational size and bag limits for those modes.

It becomes very difficult once those anglers leave the boats to figure out who is legal and who isn't. There was a note that it may have just been semantics, but in some of the information our committee members noticed references to private versus shore angler modes. It may have just been a matter of semantics; but the concern was raised that if these distinctions between private versus shore angler imply boat versus shore anglers and the private mode, the possibility of separate of regulations for private boat anglers versus private shore anglers would be a concern. It is just to point out that the further that you subdivide recreational regulations among the modes, the more difficult enforcement becomes.

Of course, enforcement of bag and size limits in closely adjoin states would be greatly enhanced if the regulations are consistent. I know we've heard this many times before. It always remains true that to the extent that you can have more regionalized regulations that are consistent particularly for closely adjoining states, this is very important to law enforcement on the water and at the docks.

Slot limits in general; the committee always is careful to say that they can enforce our regulations and they will enforce regulations. Slot limits are certainly something we're

familiar with. They are enforceable; but one point of note was that, of course, the narrower the slot – if it is a two-inch slot or even a three-inch slot, the narrower the slot the more difficult that enforcement issue becomes.

There was some discussion about some of the proposals that would include use of circle hooks. That's always a bit of a troublesome issue for law enforcement when you're starting to have to deal with regulations regarding the type of hook or gear that you're using on board. It was pointed out that if circle hook requirements are part of a proposal – typically this would be for live or cut bait only; but it was pointed out you want to have that circle hook provision applied to any species that are being caught at that particular time or geographic region on the vessel.

If you specify circle hooks only for striped bass, it becomes a very, very difficult thing to enforce, almost like a targeting prohibition, which we discussed some time ago. For proposals to introduce a trophy fish season, the enforceability would be dependent on a tag requirement, especially for a charterboat fishery or charterboat trophy fish.

That would be very helpful if you had the tag requirement in terms of enforcing that single or limited number of trophy fish allowance particularly on a charter. Again, looking at the Chesapeake Bay, clearly we would love to see consistency in the regulations for all the jurisdictions around the bay. That would greatly enhance enforceability and compliance.

There was discussion about the bonus fish issue. A couple of our representatives from states that are applying that program had some good suggestions about tag requirements that could go along with the voucher; and so it would probably be beneficial for any states that are considering a trophy or bonus fish allowance instead of a commercial harvest to sort of share communication about what works in terms of the voucher combined with a tag, which greatly aids enforcement. Mr. Chairman,

I think that concludes all of our comments. I will be happy to answer any questions.

BOARD DISCUSSION

CHAIRMAN GROUT: Any questions for Mark? Loren.

MR. LOREN W. LUSTIG: I really appreciate the law enforcement reports, Mark, and I thank you for what you've provided to us. You brought up the issue of regulatory simplicity; and I think the phraseology that used was "consistent as possible" for states that in a sense share waters. I'm thinking about the Delaware Bay with Pennsylvania, Delaware and New Jersey all in a sense sharing those waters. Can you comment about the ability for recreational anglers to actually know the demarcation lines? If the state water demarcation line is right in the middle of the bay; how in world do the anglers actually effectively know that demarcation?

MR. ROBSON: Thank you for that question. We didn't specifically discuss in the case of the striped bass conservation equivalency the issue of jurisdictional lines. But coincidentally this was an issue that we talked about yesterday with summer flounder in proposals to regionalize regulations there.

It was the same conference call so I'm confident I think can say that the committee suggests very strongly that you use existing state boundaries or jurisdictions, whether they're down the middle of a bay and across wherever those lines are drawn. Other types of demarcation lines are much more difficult to enforce.

Again, not so much for the enforcement officer on the water, but more in deference to the anglers so that they are aware of where they are and what regulations they have to abide by. I would say a dependence on state jurisdictional lines where you have to draw those lines and other kinds of demarcations do become more difficult.

MR. ABBOTT: In response to the question offered by the gentleman from Pennsylvania, in New Hampshire and Maine, our main water body, the Piscataqua River, the border of the states runs right down the middle. There is a slot limit on the Maine side and a size limit on the New Hampshire side.

I believe that our law enforcement people feel it is completely unenforceable to try to make a bust where a fisherman can go one side of the river and land a fish, he can go on the other side and land a fish. That is one of the concerns we have between New Hampshire and Maine's slot limit. My question would be this.

There are a number of slot limits proposed; and if we take any one of them – we'll say one that is from 28 to 36 – if a fisherman possesses a fish that is 36.9; is he breaking the law or is he within the law? I think I know the answer probably in practicality, but it raises an interesting question where you think you have an 8-inch slot limit but probably in truth you have a 9-inch slot limit; would this be true?

MR. ROBSON: I'm a little reluctant to try to answer that because, of course, officers have to have discretion in how they apply the regulations and try to look at the context of that particular case. In general with size limits, they in part are some of our most enforceable regulations because they're very clear and distinct. So if it is 36 inches, it is 36 inches. Anything over that is illegal if it is that type of a slot.

MR. FOTE: Fifteen or twenty years it was very difficult to basically decide where the state lines were; but with the GPSs and the charting programs we have now, people know where they're fishing. They know where the lines are. It is simple; all they have to do is look at the chart recorder and it will show you exactly when you're crossing a state line.

We have had to do that with summer flounder and all these species over the years with New York. They enforce the laws in New York on

New Jersey fishermen, because I know a lot of boats that have been stopped. We have been stopped many times going there. They measure if we're within the size limit when you're New York waters, when you're in New Jersey; or, when it is closed seasons on one side or the other. I ran into a situation where we caught an 11-pound fluke, and we couldn't bring it back to New Jersey because New York was open and New Jersey was open. We know the laws and GPS has made it much easier to look at those points.

MR. CLARK: Mark, on the on-board filleting issue; do states that have a requirement for fishermen to retain the racks for fish that are filleted on board? Does that help with enforcement or is it still just difficult in that situation?

MR. ROBSON: Well, the comment that was made last year was specifically with regard to New Jersey, and they do require a retention of the rack on these large large-party charters. The intent of that, of course, is to have a way of verifying the number of larger fish. The reality is, of course, it actually adds a little bit more to that complexity of a physical check; where if you have a partyboat of 20 to 40 or even more people, officers go to the dock – and they do docks.

They have to check people coming off of that vessel, checking their catch in terms of their bag limit, to verify that it is okay. If they're allowed to fillet, they're going to have fillets; so those fillets have to be counted. They may also have fish that are not filleted. There is a lot of counting that has to take; and then, of course, once those customers are gone, then the officers can inspect the racks that in the hold of the boat or kept in the hold. At that point if there are discrepancies, it becomes more troublesome to try to track down who to go look to.

CHAIRMAN GROUT: Further questions for Mark?

STATE IMPLEMENTATION PLANS AND CONSERVATION EQUIVALENCY PROPOSALS

CHAIRMAN GROUT: Okay, seeing none, we are now at the point where we need to consider approval of state implementation plans and conservation equivalencies. We can take couple of potential tacts.

One, since we've had all of these options reviewed and approved by the technical committee, we could take it as one big motion that would approve all the state plans; or specific board members have questions and would like to debate an individual state's plan, we could take it state by state. I would like to see, first of all, is there any objection to taking it as one big motion where we would approve all the plans at once? Seeing none; I will take a motion to that. We might even have a suggested motion coming up. Ritchie White.

MR. WHITE: I think staff has a motion that was prepared earlier. **I would move to approve all state implementation plans, including any conservation equivalency proposals for both recreational and commercial fisheries submitted to and approved by the technical committee for the states and jurisdictions of Maine, New Hampshire, Massachusetts, Rhode Island, Connecticut, New York, New Jersey, Pennsylvania, Delaware, Maryland, District of Columbia, Potomac River Fisheries Commission, Virginia, and North Carolina.** If I get a second, I'd like to speak to it, Mr. Chairman.

CHAIRMAN GROUT: Tom Fote; are you seconding it? Okay, seconded by Tom Fote.

MR. WHITE: In the 15-1/5 years I've served on the commission, I don't recall a time when a conservation equivalency proposal approved by technical committee was not approved. That is why I make this motion because I feel that this is consistent with the way we've done business in the past.

I feel that the overwhelming public support for one fish 32 inches; we have certainly sidestepped that substantially. As a result I certainly hope on the coast that as many states as possible will go with the one fish 28 inches to try to at least come close the 25 percent reduction that we have agreed to. I personally feel that with all the uncertainties that have been raised; that we will not be meeting the 25 percent reduction in the first year as Amendment 6 required. Again, I hope states will go with the one fish 28 inches. Thank you.

MR. FOTE: The reason I seconded this motion is that I'm looking at a fishery that is not overfished and overfishing is not taking place; that we have a spawning stock biomass 40 million pounds higher than we reduced the young of the year. Do think there are problems with striped bass? Yes, but I don't think it is because of spawning stock biomass.

I think it is the conditions of the bays and the estuaries that are contributing dramatically to the loss not only of striped bass but a whole bunch of other species is why we're not seeing the raise in stocks. Also, we went out with this to public hearings that we would basically have a 25 percent reduction. This accomplishes it so that's why I can support the motion.

CHAIRMAN GROUT: Further discussion on the motion? Tom O'Connell.

MR. O'CONNELL: I expressed some concerns earlier regarding these conservation equivalency plans for the coastal recreational fishery, but that is what we approved. I echo Ritchie White's comments in regards to striving to find some consistency as we go forward.

After we submitted our proposal in December and got a chance to see what other states were coming in with conservation equivalency proposals; we got a pretty significant change and reaction from our sport and charter fishing communities raising concerns with marketing disadvantages with our spring trophy fishery.

Whereas at that time we were advocating for a one fish at 36-inch minimum, we got a lot of support for a slot limit, one fish between 28 to 36 inches or over 40 inches. Over 40 inches was still maintaining the interest of our fishermen for a trophy fish; but recognizing there were others that wanted a greater opportunity to bring home a fish and going from 28 to 36 inch minimum was going to cause a lot of concerns.

We do believe that this new option is going to provide greater protection to the larger spawning stock females. **What I would like to do is amend this motion to include an additional option for Maryland's spring trophy fishery pending technical committee review and confirmation that it meets the 25 percent reduction, to include one fish 28 to 36 inches or 40-plus inches.** This utilizes the same methodology that was used for other options that were approved by the technical committee. Thank you.

CHAIRMAN GROUT: Is there a second; Martin. Discussion on this motion to amend. Steve Train and then Martin.

MR. TRAIN: I'm not sure I heard it right because I thought he said or one over 40; it is going up as "and". If it was or one over 40, wouldn't the 28-inch minimum fit that anyway?

CHAIRMAN GROUT: Would you like to speak to that? Is this correct the way this motion is written?

MR. O'CONNELL: The motion should say "or over 40 inches". It is a one-fish creel. To Steve's comment, we are already at one fish at 28 inches; so when the board made a decision to require a 25 percent reduction, it put the spring trophy fishery at a different starting point. In order to achieve a 25 percent reduction, recognizing that we were already at one fish, we had to look at a size increase option.

MR. GARY: Mr. Chairman, PRFC does support this motion; and in the spirit of the Law

Enforcement Committee's recommendation if this motion were to be adopted, the Potomac River Fisheries Commission would like to also have this option for consideration. Many of our fishermen vacillate between fishing in the river itself and the Maryland portion predominantly depending on weather conditions and fish availability. I'm not sure if it would be best if the motion were to advance to amend it to include Maryland and the Potomac River Fisheries Commission; but however you prefer. Thank you.

CHAIRMAN GROUT: I think there needs to be a motion to amend or friendly. Since you're the seconder, you're obviously agreeing and would Tom agree to this?

MR. O'CONNELL: Yes, I would accept a friendly amendment to include Maryland and the Potomac River Fisheries Commission.

CHAIRMAN GROUT: Okay, discussion? Tom.

MR. FOTE: I have no problem amending the first motion if Ritchie doesn't, because we're going to vote this if it accomplishes the 25 percent reduction. It has to go to the technical committee to do that before they implement that. I don't want to keep us voting on things; so to make it simple, if Ritchie if will agree, I will put that into the main motion.

CHAIRMAN GROUT: I think at this point, because we had a motion and a second and this has already been a motion to amend; that it is going to be cleaner to amend it at this point. David.

MR. SIMPSON: Just one clarification; this would be to achieve the 20.5 percent reduction or 25?

MR. O'CONNELL: 25 percent reduction because this fishery is on the coastal migrants.

CHAIRMAN GROUT: Further discussion on this motion to amend? Jim Gilmore.

MR. GILMORE: Just quickly; I have no problem with the motion and support the motion. I just want to know if Tom and Martin are going to lose their gold stars now.

MR. ROB O'REILLY: You did not hear Virginia ask to joint this. We support the motion. I think the board should know if you followed along with the annual reports Virginia keeps waiting for a trophy fishery since 1995. There has barely been a pulse. It is that much different as you go down bay; but this year we have already enacted a situation – we've had mandatory reporting of trophy fish, both kept and released, since 1995. We think the reporting has been anemic.

I don't know how much it is off. It wouldn't be a lot, but this year there will be a requirement in our trophy fishery that you have to get a permit from VRMC and you have to tell us what you did even if you did not harvest; if you did harvest, your kept, releases, your sizes, so this will be – you know, after nearly 20 years, we think we'll get the pulse of what the trophy is in Virginia. We don't expect a whole lot and we're going to stay at one over 36 or greater. Thank you.

CHAIRMAN GROUT: Further discussion on the motion to amend. Ritchie.

MR. WHITE: Just a question on timing; when does this fishery take place and will the technical committee have the ability to approve this and then have the state implement these regulations in time for it?

MR. O'CONNELL: The fishery opens the third Saturday in April. Given that this is using the same methodology, we would hope that the technical committee could review it relatively quickly. We are able to implement rule changes within a couple days for this fishery.

CHAIRMAN GROUT: Further discussion on the motion to amend? Seeing none; do you need time to caucus? All right, I'll give you five seconds to caucus.

(Whereupon, a caucus was held.)

CHAIRMAN GROUT: Move to amend the motion to include an additional option for Maryland and the Potomac River Fisheries Commission for a spring trophy fishery, pending approval by the technical committee, of one fish at 28 to 36 inches or one fish over 40 inches. Motion by Mr. O'Connell and seconded by Mr. Gary. Okay, all states and jurisdictions in favor; all opposed; abstentions; nulls. **The motion carries unanimously. Now the main motion as amended.** Roy.

MR. ROY MILLER: Mr. Chairman, I have a question on the main motion. My colleagues from Delaware did not choose to include a one fish at 28 coastal recreational option. If they chose to do so at some time during the 2015 fishing season; would they need to come back to the board for approval of that default measure or is that sort of pre-assumed to be approvable if they chose to have an internal process to offer one fish at 28 inches along the coast? Thank you.

CHAIRMAN GROUT: I had a question about this for you, Roy, and that is you said "change this midseason"; so are you intending to come forward with – the state of Delaware intending to come forward with one set regulations that does not – implement a certain set of rules that does not include this one fish at 28 but then in the middle of the year you might come back and want to change it or are you looking for an additional option to potentially implement prior to the start of your season?

MR. MILLER: It may be too complicated to do in 2015, but I'm thinking next year. All I'm trying to get some guidance on is whether any jurisdiction who wants to propose one fish at 28 needs to come back for board approval for that; or is it assumed that would be acceptable without additional board review?

CHAIRMAN GROUT: As I understand it, since this is the main measure in the plan or the preferred measure in the plan on the coast; that

it would not require board approval, but you will be required to notify the commission staff of this change occurring and when it is going to be implemented. Mike would then or the commission staff would notify the board of this change. Is it clear? Okay, Rick.

MR. RICK BELLAVANCE: I want to thank Ritchie for making this motion. I support it quite a bit. I did want to just add one quick comment, if I could. In regard to the statements I've heard that the recreational fishing community strongly supports one fish at 28 inches; and I don't know if that is a hundred percent accurate.

I think there is a portion of the recreational fishing community that is looking for something different; and that's the recreational for-hire fishermen. They don't necessarily come to these meetings. They rely on their captains to advocate for them; and they've been loud and clear to those folks that they do need two fish to bring home to find value in that trip. As we bring these options back to our states, I am hopeful that we can work out some sort of like measures throughout our region, but I am hopeful that most of the states at least in the northeast, anyway, will consider that two-fish option as they move forward.

CHAIRMAN GROUT: Further discussion on the motion? Okay, can I try this? **Move to approve all state implementation plans including any conservation equivalency proposals for both recreational and commercial fisheries submitted to and approved by the technical committee for the states and jurisdictions of Maine, New Hampshire, Massachusetts, Rhode Island, Connecticut, New York, New Jersey, Pennsylvania, Delaware, Maryland, District of Columbia, Potomac River Fisheries Commission, Virginia, and North Carolina; and to include an additional option for Maryland and the Potomac River Fisheries Commission for a spring trophy fishery, pending approval by the technical committee, of one fish at 28 to 36 inches or one fish over 40 inches.**

Is there any objection to this motion? **Seeing none; it passes unanimously.** Thank you very much. Members of the Board; we've just approved state plans that include 56 potential options for recreational fisheries and 23 potential options for commercial fisheries.

I encourage you as states, as you prepare to make decisions on which of these options to implement in your state, please remember the advice of your technical committee and your Law Enforcement Committee that simplicity, consistency and enforceability of the measures will improve the likelihood that we will achieve the purpose and objectives of the addendum.

Thank you very much for your efforts here. There had been a discussion about what is going to be implemented here. One of the things we'd like you to do was once you've made your decision, to please notify the commission. I also heard some discussion here of possibly asking the plan development team to try and analyze what the implications of these decisions are and what the percent reduction that we might achieve here.

If that would be the will of the board; we could task the technical committee or the plan development team to try and come up with that once we have all those decisions in. Do you have any objections with that? Okay, seeing none, thank you very much. Ritchie.

MR. WHITE: Mr. Chair, on that issue if the technical committee in trying to figure that out, if they also could add in the non-compliant fish piece – if they could carry the 2013 coming forward to see how does that quantify, if they could do that as well; in other words take the assumption that the compliance rate in 2015 would be the same compliance rate as 2013; so just make that assumption and then if that would be added into the figures.

DR. DREW: Just to clarify; do you want that to be done just for the Maryland and Potomac River Fishery Commission option; do you want that to be done for all the states' proposals; do

you want to be done for all the options in the addendum?

MR. WHITE: I thought the technical committee was going to look at when all these options are finalized; that they were going to go back and try to calculate with those what reduction in mortality that they that was going to create; so in that calculation if you do it I guess with and without using the 2013 non-compliance rate, if that could be used in the 2015 analysis.

CHAIRMAN GROUT: Okay, that last comment has brought up several hands. Tom Fote.

MR. FOTE: Ritchie, I know what you're trying to do, but the compliance level 2013 will have no relationship to the compliance level of 2015 just because of all the changes in regulations. I don't see how you can use it. We will have to wait until 2015 or '16 to basically look at that because this is not going to be the same compliance level. It is all new regulations; and there is a certain variability when you basically do that. You can make the assumption, but it is not going to be valid; so if we're making another assumption, it is not going to be valid, anyway.

MR. O'REILLY: Mr. Chairman, I just want to follow up with Ritchie. I guess what I had asked earlier on was once the plans are implemented and once the measures are known throughout the coast; then was it possible for the technical committee to look through the statistical catch-at-age model to do the exercise they did before on the 50 percent probability and report back as to what the probability really was.

That would involve the commercial measures as well. I think Ritchie said something different in looking at the deflection either way of the fishing mortality rate. Before we send the technical committee off to the unknown, it would be good to know what they think is the way to go forward with this.

MR. WHITE: My purpose for asking for this is not for information that we would use now. It

is if we're back at this table in three years looking to make an additional cut in striped bass mortality; then this might be a figure that would help us in directing the technical committee in the task. You're correct, Tom, we don't know whether this would be correct data or not; but we'll learn. They're going to make an estimate now and in three years then we're going to know what the compliance rate was. I think it helps us to see in forecasting what we might use.

CHAIRMAN GROUT: Emerson.

MR. EMERSON C. HASBROUCK, JR.: Ritchie's comment just now answered my question.

CHAIRMAN GROUT: Okay, is the board comfortable with the tasks that we've put forward to the technical committee? Is the technical committee clear on what we're talking them with?

MR. WAINE: I would like to clarify the tasks and, Charlton and Katie, feel free to jump in. My understanding is, Ritchie, are you requesting that we redo the analyses to revise the assumption about compliance; and if that is what you are requesting, that requires each of the states to redo their conservation equivalency proposals based on the option that they select finally to change that assumption so that they can re-predict the percent reduction. If that's not what you're asking – I mean, we could do that for the one fish at 28 inches; but remember not every state is going to end up at that level. I'll pause there to get some input; because it sounds like you're ready to let me know whether I'm on track with that or not.

MR. WHITE: I was assuming that there is a coast-wide number that the 2013 non-compliance rate would be. I was assuming to just apply that coastwide, to not go back state by state. I may be mistaken on that.

DR. DREW: Right; because if states apply different slot limits or different size limits or different bag limits, they're going to have

different non-compliance rates than the overall coast. That's why one state's compliance limit – one state's compliance on paper is going to be different from another state if they have different regulations; if they put in different regulations at the end.

MR. WHITE: The non-compliance rate in 2013, though, do we have a coastal number for that?

DR. DREW: Yes; if you want to do this analysis on the coast-wide level, we could; but that rate depends on – so it depends on the current regulations now. If you change that; then some states, what is non-compliant now will remain non-compliance. With some states, what is compliant now will become non-compliant. That is going to be different from state to state.

MR. WHITE: What I'm trying to accomplish is the difference in mortality rate between the 2013 non-compliance and assuming full compliance in 2015; so that there has got to be percent difference, 3 percent, 4 percent, whatever that would be, if assuming that, the non-compliance stays the same. I'm not looking for what the new non-compliance might be.

I'm just looking to continue that percentage forward to show us in the future that when we're asking for a 25 percent reduction, if the non-compliance stays the same, then maybe it is only 21 or 22 or something; so just to educate us when we're back at the table in three years, which I think we will be, to help us to decide whether we would use this information or not.

DR. DREW: I see what you're saying and we can work something that will give you what you want.

MR. WAINE: We have a technical committee and we can discuss this. I'll gladly work with you and make sure that we're characterizing what you think will be useful for the board to see on this issue. Are you okay with that path forward? Then just to clarify; the other thing that Rob was asking for is to redo the projection analysis given the estimated harvest that would

occur after we look at what every state will be implementing for their measures. I think that one is a little bit more straightforward. Rob, we can also work with you to make sure that the technical committee is accomplishing that task as requested.

MR. O'REILLY: I think that's fine; and I think the purpose is really the same as Ritchie's; that we do want to see what happens after a couple of years; that we'll have more information to have at our bequest here. Thank you for that and I would be glad to help out.

OTHER BUSINESS

CHAIRMAN GROUT: Anything else? Okay, we have other agenda items here. Mark, you had the Rhode Island Tagging Report and you wanted an exemption.

RHODE ISLAND TAGGING REPORT

MR. GIBSON: Yes; in the striped mass materials was a memo from myself to Mike Waine on the matter of the tagging report. As you know, we're supposed to submit reports every year with a description and photo of the tags to be used with the tagging program. That would have required us to essentially send that by February 1st given when our floating trap fishery first starts.

Of course, we're here today just learning what is approved by the board and we have a public hearing on the 16th at home to take public comment on the items that have been approved by this board and then a departmental decision to be made. We have to do both with a computation of how many tags we need and so on, depending on the two commercial sectors we have which harvest different sizes of fish and different poundages.

We're asking that we be allowed to send in that report by April 1st. Now that we know the bounds of where we're going we can get the right number of tags procured and provide that description to the commission. Thank you.

CHAIRMAN GROUT: Would you like to make a motion to that extent?

MR. GIBSON: I would be happy to. I just was concerned there might be other states that might be – nobody else is requesting that exemption and we could wrap them all up into one. I didn't know if anybody else was looking for that.

MR. WAINE: I think Mark's point is that given the process here, all the states are trying to implement potential changes – well, certainly, a change to their commercial harvest – or, excuse me, their commercial quotas. Some states have conservation equivalency involved in that; and so the request was just to have an extension to be able to submit those reports that detail the commercial tagging for that year.

Ultimately I don't know if that necessarily needs a motion and board approval. It is just an acknowledgment that those may be a little later this year because of the differences. We rely on those reports to help law enforcement to recognize what the tags look like and how they're being issued, et cetera, so it is really about the tagging program and just acknowledging the administration of that program on a yearly basis so we can keep law enforcement up to speed on those changes.

CHAIRMAN GROUT: Well, because that measure is from a different addendum; I assume that it would take – and there was a requirement; that it would take approval by the board. Is there any objection to Mark's plan being late? Okay, I think you've gotten what you need; and this is just for one year?

MR. GIBSON: Yes.

DELAWARE BAY, HUDSON AND CHESAPEAKE BAY BIOLOGICAL REFERENCE POINTS

CHAIRMAN GROUT: Okay. Next, Delaware Bay, Hudson and Chesapeake Bay biological reference points; John, you wanted to speak to that.

MR. CLARK: I can't really speak for the Chesapeake or the Hudson. Although at the annual meeting, as you will recall, obviously the lack of reference points for the Chesapeake was a sore point, the other producer areas, the Delaware and the Hudson, asked that if we do go to reference points for the Chesapeake; that we take a look at including the Delaware and the Hudson.

I have a whole bit I've written up about the size of the stock of the Delaware. Its status as a producer area I think is very clear. Following up on what we discussed at the annual meeting, I would like to discuss starting another addendum to come up with reference points for these producer areas that would possibly allow separate management for these areas similar to what has been done in the Chesapeake.

CHAIRMAN GROUT: Would that be something that we'd want to take up as an agenda item at our next meeting or do you want to initiate an addendum now or what is your preference on this?

MR. CLARK: Well, given the time it takes to develop these things; and, as you know, there was a lot of consternation about the addendum in the Mid-Atlantic, not just the Chesapeake but in Delaware. As you know, we appealed the addendum based on what we felt was unfair treatment to our fisheries. I would say there is no time like the present and we would like to see about getting started on an addendum as soon as possible.

CHAIRMAN GROUT: Just so you're aware, to initiate the addendum you'd have to have a motion to start –

MR. CLARK: I can make a motion, but first I would just like to maybe start it for discussion. I just haven't really broached this thoroughly with representatives from the other states of these producer areas; so maybe just start some discussion here and see if we end up with a motion. I would like to see it discussed.

MR. WAINE: John, I just want to sort update you and I guess I have kind of a question. The technical committee is currently tasked with developing reference points for the Chesapeake Bay. Are you asking for us to consider or are you requesting from the technical committee to also pursue a similar analysis for the other producer areas or is this more of a management request; the request being consider separate management for the producer areas?

If it is the former, first of all, we will need a little bit more guidance on that; and, second of all, we'll need some technical committee input. I think it will be very similar to how we've been doing things with the Chesapeake Bay. My point is I'm not sure we'd be quite ready to launch into an addendum at this point. It would need some more technical committee input unless it is the latter of what I was talking about.

MR. CLARK: I was thinking more of the latter because, of course, under Amendment 5 the Delaware was managed as a producer area. If I'm not mistaken, we used the same reference points as the Chesapeake at that time; and we used Delaware-specific monitoring to determine the quotas based on the reference points that were used in the Chesapeake under Amendment 5. I think the simpler approach would be the one that we would be looking for in the Delaware.

MR. WHITE: Mr. Chair, Mike got into the question that I was going to ask; but even going the second choice, I still think the board would want to hear from the technical committee first before we went down that road. I guess I certainly would.

MR. GILMORE: Mr. Chairman, I think we're exploring that, but my recommendation at this point was that we really don't do any motions. I think your suggestion, Mr. Chairman, to put this on the agenda for the next meeting so we have time to I guess prepare and maybe talk with the other states about this prior to that May

meeting would probably be the best way to approach it. Then we can get into a little bit more detail when we meet in May.

MR. FOTE: That was my agenda item that I wanted to add to the agenda. When we started this plan as we went forward, it was a producing area in the Delaware River, a producing area in the Hudson River, a producing area in the Chesapeake Bay. The contribution in the Chesapeake Bay at that point back in the early nineties was the estimate that it was 75 percent of the coastal migratory stock was coming out of the Chesapeake Bay and only 25 percent was coming out – and pretty much it was the Hudson River because at that time the Delaware had just started rebuilding the stocks in the early nineties after the oxygen block was taken away at Philadelphia.

As we've come along now, we're seeing that the coastal contribution by the Delaware River is probably 25 or 20 percent by itself and the Hudson. If they're producing so many more fish and putting it out into the coastal migratory, then the problem seems to be we need to find out where the problem really is.

It was always a sore point with Delaware, Pennsylvania and New Jersey that – I won't say New York because they made the motion after we left the meeting one night, the three of us, because we had to catch flights to basically take away our producing area status because that – I don't know if it was -- at that point they wanted to do that; but we couldn't get it back and we've been upset over it ever since.

Since we are producing areas, we should have the same consideration that the Chesapeake Bay has and North Carolina with their separate producing area. We're not asking for special management zones like North Carolina because they're not a migratory stock. We also understand that the Hudson River and the Delaware River in their migratory past, as the tagging studies have shown over the years, is different from what comes out of the Chesapeake Bay. They have a farther range.

There is more fish up north. We need to find out those details; and that is what I'm looking at is to get producing area status back, to look at what is going on with the fishery; and not for more management regulations but just what is going on and how it has changed over the last 20 years; because it has changed dramatically as far as the contribution of the other two producing areas.

MR. O'REILLY: I think that is fine for the amendment process that we may or may not start to bring it to the next meeting. I think Mike answered some of the questions that the Chesapeake Bay reference points have already been started. In fact, I think last August we were pretty close even then with what Alexei Sharov and Katie had done with what were called interim reference points.

In fact, now we have the opportunity to have more definite reference points for the Chesapeake Bay that have been existence for 20 years. The other part of this is I think the board at some point needs to talk about what the intent is in terms of monitoring striped bass because for the first 12 or 13 years that I remember the board was always interested in stock-specific and being able to have tagging data and everything else.

Now we have a coast-wide F; and it is really a new adventure because before then what we had was the coast-wide F but we also had an age three to eight F, which couldn't be directly compared to the Chesapeake Bay tagging-based F's because it was in terms of numbers rather than an average F. Some of that information I think needs to be recirculated, especially since there are some members who would need to know about that process and what went on not in gory detail, but at least to know that there was an intent of the board in the past to know as much about the stocks as they could and not make this into a conglomeration through one coast-wide F. Thank you.

MR. RUSS ALLEN: Mr. Chairman, I concur with John's thought process on this and wanting to

come up with some reference points for some management down the road. I think that is our goal is to have similar stock management for the Delaware and have the states on the same page. I'd be comfortable right now with just moving this forward to the technical committee and get some initial response from them on seeing how we can move it forward and then come back to the board in May and really move this forward.

If Jim wants to jump on in the Hudson, we can talk about, also. I know the technical committee is already working on some stuff with the young-of-year data and trying to figure out stock-specific young-of-year production that is on a coast-wide basis. I know there has been some initial talk on that and hopefully they can move forward with that. I'd be very comfortable with that; I think John would be also; and we can move that forward.

MR. WAINE: Mr. Chairman, I'm glad you let Russ go first because he pretty much teed me off. I think I fully understand the tasks that we're talking about around the table here, which is to have the technical committee look at the producer areas, which would not just be the Chesapeake Bay but the Hudson and the Delaware as well and to potentially look at what specific area management would look like for them; but first with some evaluation of a reference point or mechanism in place to evaluate what that stock health is relative to the mixed stock, basically.

If the board is comfortable with characterization, I think we'll work with the technical committee between now and the May meeting. We will update everybody on the progress at that point and let the board know where we're at with the development of all of this. I think at that point we can continue this discussion with a little bit more information from either the progress of the technical committee or a recommendation if they have one.

CHAIRMAN GROUT: Is the board comfortable with this? Okay, it looks like we have our first agenda item for the May meeting. Tom, did this address your producer area state's concern? Good.

WINTER TAGGING CRUISE UPDATE

CHAIRMAN GROUT: Winter tagging update; Wilson, would you like to give us a brief update?

DR. WILSON LANEY: Mr. Chairman, I'll address the research vessel trawling component of it; and then I think Charlton is prepared to address the hook-and-line component of it. I'll give you the short version; and if people have questions, I'll be happy to answer those. This year we used a research vessel, the RV Savannah, which is based at Skidaway Institute of Oceanography in Georgia, which is a new vessel for us. It is the first time we've used it.

The cruise was conducted January 10th through the 19th. We had twelve scientists on board as members of the scientific party. Five of those were from the North Carolina Division of Marine Fisheries; three from the U.S. Fish and Wildlife Service; one from the National Marine Fisheries Service, Southeast Fisheries Science Center, Pascagoula Lab.

Thanks to Dr. Lisa Kline and Dr. Bonnie Ponwith for partnering with us in that regard because they saved us a lot of money by having Nick Hopkins drive the gear up from Pascagoula to Savannah and get on the ship there. Nick had to spend three or four extra days on the ship beyond what everybody else did; so thanks very much to them for that. All of our partners provided a lot of in-kind contributions as usual, especially North Carolina DMF, Maryland DNR and the state of Virginia, which issues our trawling authorization for their waters.

The primary funding for the 2013 cruise and for hook-and-line operations in 2014 and 2013 came from a North Carolina Recreational Fishing License Grant; and then this year from a

National Marine Fisheries Service Saltonstall/Kennedy Grant. I'm pleased to report that North Carolina has decided to also provide coastal recreational fishing license grant funds to fund us for next year.

We'll be doing our cruise in 2016 again as well as the hook-and-line tagging. We are in the process of transitioning the cruise from just a straightforward tagging cruise to a survey mode, so we documented everything that we caught this year. We did 152 stations of 10- to 30-minute duration. We documented over 11,000 organisms. We took data for other folks besides ourselves.

NCDMF took a lot of otoliths for aging for different ASMFC species. Primarily we took menhaden oviduct samples for ASFMC for the Menhaden Technical Committee. We put acoustic tags out in three sandbar sharks; and we tagged a thresher shark as well. We tagged and released 333 striped bass.

That number is in the bottom quarter of our time series, but I will stress that I attribute that largely to the weather, which was very delightful this year. We spent two days anchored up off Wallop's Island, Virginia, due to winds in excess of 25 knots and seas that made things kind of bouncy on the back deck

It was very frustrating for the chief scientist to have to sit there at anchor for two days, but I did get a lot of e-mail done during that interval because the boat has very excellent internet connectivity as those of you were recipients of the daily updates are well aware, I hope. In combination with the hook-and-line tagging, we got a total of 1,375, which is just slightly below our long-term average, which I think is around 1,700 a year now.

I already mentioned the fact that we got funding. In terms of future discussions, at some point we're going to be bringing to the technical committee and the tagging subcommittee some questions after we analyze the 2013, 2015 and 2016 data. For those three years, we will have

cohorts of striped bass that were tagged using hook and line and tagged using trawls.

We will be able to take a look at the return rates from those fish and maybe assess whether or not it is better to tag with hook and line versus trawling. Charlton can speak to this in more detail; but we already realize that if you compare the length frequencies from the trawl-caught fish with the hook-and-line-caught fish, the hook-and-line-caught fish are bigger, for sure, and they may be in a little bit better condition when we release them.

We're not sure about that; but from how vigorously they flap when they're on the measuring board and how well they behave when they go back in the water, just observationally it seems like that might be the case; but, of course, we won't know until we fully analyze the data. The question is do we want to continue both types of surveys? There are all sorts of considerations that go into that; one being the analysis of the three years once we have those data.

Also, cost is always a factor; and it is a whale of a lot cheaper to tag fish with hook and line than it is with the trawler because the daily cost of these research vessels is not cheap. However, in some years you can catch a whole lot more fish with the trawl. If you find the fish schooled up well, if the weather is great, if the birds lead you to them, then you can tag very high numbers.

Our best year ever, we tagged 6,275 fish in five days. When you get a sample size like that, it makes trawling worth it. Other questions that we need to consider are whether or not there is a minimal number that we need to tag on the coast or an optimal number. Those are the kinds of things that we will taking to the Striped Bass Tagging Subcommittee. I think we're going to put them on the agenda per discussions with Mike probably at the next meeting and at least kick off that conversation. I'd be happy to answer any questions if have any. Thank you, Mr. Chairman.

CHAIRMAN GROUT: Before questions, Charlton, do you want to follow up on anything from the actual hook and line?

MR. GODWIN: Sure, I can give a quick update on our numbers. The hook-and-line component of this started in 2011 when we did not have the cruise; and we wanted to make sure the tagging data set didn't have gaps in it. For the last three years, 2013, '14 and '15, we have chartered ten trips with a charter captain.

We take up to twelve scientists or volunteer anglers. This past year we caught 1,057 and tagged 1,042. That was due to if we have a deep-hooked fish and it is bleeding pretty good, we will not stick a tag in it, but that doesn't happen very often.

In 2014, in comparison, we tagged 921; in 2013, 1,116; so we have some pretty good – we can do pretty good numbers out there. The most we've caught in a day is about 280 fish; and that is finding them pretty early in the morning and staying on them all day. If you have any further question, I'll be glad to answer any, but I think that kind of covers our summaries for our trips.

MR. WHITE: Wilson, did you see any difference in the location of the fish this year; and are you seeing a trend over the last five or six years?

DR. LANEY: The trend over the last five or six years, Ritchie, is they're further north and they're further offshore. That was true again this year. There wasn't much difference between 2015 and 2014. One thing I forgot to mention earlier was that – and Charlton can chime in on this point as well – we definitely have seen less recreational angling out there, when we have been out there working.

Now, part of that again was attributable to the weather this year; because we're a bigger boat and we can tolerate things that the smaller boats couldn't tolerate. I at least have the perception that law enforcement efforts and the publicizing of those efforts have made a difference out there in terms of how many

vessels are out there in the EEZ. Charlton may want to comment on that as well.

CHAIRMAN GROUT: Follow-up, Ritchie.

MR. WHITE: How about water temperature; have you followed water temperature like over the last ten years and does that look like/

DR. LANEY: We're in the process of analyzing that now, Ritchie. We have a graduate student at East Carolina University who is looking at the entire time series. She has put everything through 2013 is in a single data base now; and she is looking at that. I don't have an answer to that question yet; but I hope to. We saw a lot of variability this year.

We ran into some very warm water on our way up; so in the southern part of our study area, between Cape Lookout and Cape Hatteras, we were seeing some surface water temperatures as high as 70 degrees. It may be one of those gyres spinning off the Gulf Stream. We caught a few species that we had never caught before that may have been associated with the warmer water. We did find fairly cold water as well once we got up into the northern part of the study area. Whether there is a long-term trend or not, I don't know yet, but I hope to be able to answer that question soon.

ADJOURNMENT

CHAIRMAN GROUT: Further questions? Are there any other items to bring before the board today? Seeing none; I will take a motion to adjourn. It is unanimous.

(Whereupon, the meeting was adjourned at 10:30 o'clock a.m., February 5, 2015.)