Atlantic States Marine Fisheries Commission

ADDENDUM III TO AMENDMENT 6 TO THE ATLANTIC STRIPED BASS INTERSTATE FISHERY MANAGEMENT PLAN

Measures to Address Illegal Striped Bass Harvest

ASMFC Vision Statement:
Healthy, self-sustaining populations for all Atlantic coast fish species or successful restoration well in progress by the year 2015.

Approved August 2012

1.0 Introduction

The Atlantic States Marine Fisheries Commission (ASMFC) has coordinated interstate management of Atlantic striped bass (*Morone saxatilis*) from 0-3 miles offshore since 1981. The management unit includes all coastal migratory stocks between Maine and North Carolina. Atlantic striped bass is currently managed under Amendment 6 to the Fishery Management Plan (FMP), approved February 2003, Addendum I to Amendment 6, approved October 2007, and Addendum II to Amendment 6, approved in November 2010. Management authority from 3-200 miles from shore rests with NOAA Fisheries.

At the February 2012 ASMFC Striped Bass Management Board Meeting in Alexandria, VA, the Board passed a motion initiating the development of an addendum to incorporate recommendations by the Interstate Watershed Task Force (IWTF) and ASMFC Law Enforcement Committee (LEC) on reducing illegal harvest of striped bass. Provisions of this addendum will be implemented prior to the start of the 2013 fishing year.

2.0 Management Program

2.1 Statement of the Problem

The illegal harvest of striped bass has the potential to undermine the sustainability of striped bass populations on the Atlantic Coast, as well as reduce the economic opportunities of commercial fishermen who are legally participating in the fishery. This addendum was initiated in response to the IWTF's multi-year, multi-jurisdictional investigation conducted within Chesapeake Bay. This investigation resulted in over $1.6 million dollars in fines levied against 19 individuals and 3 corporations for more than one million pounds of illegal striped bass harvested estimated to be worth up to seven million dollars. The investigation revealed that some of the control measures in place for regulating the harvest of striped bass were ineffective or inadequately designed to maximize compliance. The investigation also found that greater accountability of wholesalers would be difficult to achieve without uniform tags (colors, design) and tagging requirements, valid year and size limits inscribed on tags, and increased dealer compliance education. The Board is also concerned about the potential for illegal harvest occurring within other jurisdictions along the Atlantic Coast.

2.2 Management Background

Striped bass, *Morone saxatilis*, have formed the basis of one of the most important fisheries on the Atlantic coast for centuries. However, overfishing and poor environmental conditions led to the collapse of the fishery in the 1980s and a moratorium on harvest from 1985 – 1990. The fishery was reopened in 1990 under Amendment 4 to the Striped Bass Fisheries Management Plan (FMP), with regulations designed to limit harvest to 20% of the average landings during a 1972-1979 reference period. In 1995, when the fishery was declared restored, Amendment 5 to the Striped Bass FMP put in place regulations to allow harvest up to 70% of the average landings during the reference period.

Amendment 6, approved in 2003, increased the coastal[1] commercial quotas to allow 100% of the landings during the reference period (Table 1). Along with the minimum size limit of 28", states implement additional regulations to limit harvest to the commercial quotas. Any state quota overage is paid back through modified management measures to reduce the quota in that state the following year. Amendment 6 places no quota on the states' recreational coastal harvest; rather recreational management measures include generally the same minimum size limits as in the commercial fishery, and a two fish creel limit. Amendment 6 allows states to propose alternative and/or conservationally equivalent regulations to the Amendment 6 standards, resulting in regulatory inconsistency along the coast (See Appendix 1).

Table 1. Amendment 6 coastal commercial harvest allocations as modified by commercial prohibitions and management equivalencies.

State	Am6 Harvest Allocation (lbs)
Maine	250*
New Hampshire	5,750*
Massachusetts	1,159,750
Rhode Island	243,625†
Connecticut	23,750*
New York	1,061,060†
New Jersey	321,750**
Delaware	193,447
Maryland	131,560†
Virginia	184,853
North Carolina	480,480
Total	**3,806,275**

* Commercial harvest/sale prohibited, with no re-allocation of quota.
** Commercial harvest/sale prohibited, with re-allocation of quota to the recreational fishery.
† Quota reduced through management program equivalency; NY (828,293 pounds) and MD (126,396 pounds) beginning in 2004, RI (93,788 pounds) beginning in 2007.

Within the Chesapeake Bay and Albemarle-Roanoke areas there is a lower minimum size limit (18") than required for the coastal areas (28") due to the size availability of fish during most of the year and separate quotas are established separately for these two areas. For the Chesapeake Bay, there is a single Baywide quota for all jurisdictions' (Maryland, Virginia, PRFC) commercial and recreational fisheries, combined. Quota in the Chesapeake Bay is currently allocated based on historical harvest, and each jurisdiction then allocates portions of the quota to its recreational and commercial fisheries (Table 3). In the Albemarle Sound and Roanoke River System, the annual quota of 550,000 pounds is currently allocated evenly between the recreational and commercial fisheries, with 25% for the Roanoke River recreational fishery, 25% for the Albemarle Sound recreational fishery, and 50% for the Albemarle Sound commercial fishery (Table 4).

The Exclusive Economic Zone (EEZ) has been closed to the harvest and possession of striped bass since 1990, with the exception of a defined route to and from Block Island in Rhode Island. A recommendation was made in Amendment 6 to re-open federal waters to commercial and

[1] The coastal stock can be defined as the entire management unit (i.e., all coastal and estuarine areas of all states and jurisdictions from Maine through North Carolina) minus the Chesapeake and Albemarle Sound / Roanoke River management areas.

recreational fisheries. However, NOAA Fisheries concluded opening the EEZ to striped bass fishing was not warranted at that time.

2.2.1 Commercial Fishery Status

Total and state-specific commercial harvests of striped bass have varied little from year to year, since the implementation of Amendment 6, due to quota management. Refer to Appendix 1 for jurisdiction specific regulations. The total coastal commercial harvests from 2003 to 2010 range between 2.82 and 3.15 million pounds (Table 2) and average 2.95 million pounds (Figure 1). Massachusetts and New York land on average 60% of the total coastal allocation.

The total non-coastal commercial harvests from 2003 to 2010 ranged between 4.14 and 4.52 million pounds and averaged 4.38 million pounds annually. Within that time period, the Chesapeake Bay commercial fishery has landed 3.95 – 4.4 million pounds annually (Table 3), with Maryland landing, on average, 50% of the harvest, followed by Virginia (35%) and PRFC (15%). The total Baywide quota has not been exceeded. Within Albemarle Sound Management Area, commercial landings have averaged 68% of the total management area commercial quota (Table 4).

In total, the commercial fishery landed an estimated 7.29 million pounds in 2010, which is lower than landings in 2009 (7.32 million pounds) and also slightly lower than the 2003-2010 average of 7.3 million pounds.

2.2.2 Recreational Fishery Status

Since 2003 total coastal recreational harvest has ranged between 23.2 million pounds in 2006 to 15.7 million pounds in 2009 (Figure 1) and averaged 19.6 million pounds annually. While harvest in 2010 increased by 17%, it was still below the average. Landings from Massachusetts, New York and New Jersey have comprised approximately 70% of annual recreational landings since 2003 (24%, 24%, and 22% respectively). The number of fish released alive increased annually after the passage of Amendment 6 to a high of 19.5 million fish in 2006. Since then, the number of fish released alive has decreased by 75% to a low of 4.8 million fish in 2010. Reasons for the decline may be attributed to a decreased availability of fish staying in nearshore areas, a reduction in stock size from the peak in 2004, and changes in angler behavior in response to socioeconomic factors.

Recreational harvest in the Chesapeake Bay has fluctuated by more than a million pounds nearly annually since 2003. The largest harvest occurred in 2009, at more than 5.67 million pounds, followed by a decrease of 50% to a low of 2.8 million pounds in 2010. The number of fish released alive has decreased 70% from a high of 5.5 million fish in 2003 to approximately 1.5 million fish in 2009 and 2010. The Albemarle Sound / Roanoke River recreational quota is set at 275,000 pounds and is divided between the two areas equally (Table 3). The average harvest from the combined areas (135,339 pounds) has been less than half the allowable quota since 2003 (Table 3).

*Table 2. Total **coastal** commercial harvest (in pounds) of striped bass by state, 2003-2010.*

Year	MA	RI	NY	NJ*	DE	MD+	VA+	NC**	Total Harvest ***
2003	1,055,439	246,312	753,261	121,410	188,419	98,149	159,786	434,369	3,057,145
2004	1,206,305	245,204	741,668	81,870	181,974	115,453	160,301	421,645	3,154,420
2005	1,104,737	242,303	689,821	29,866	173,815	46,871	184,734	454,521	2,926,668
2006	1,312,168	238,797	688,446	23,656	185,987	91,093	194,934	352,036	3,087,117
2007	1,040,328	240,627	729,743	13,615	188,668	96,301	165,587	424,723	2,899,592
2008	1,160,122	245,988	653,100	7,345	188,719	118,005	164,400	299,162	2,836,841
2009	1,138,291	234,368	789,891	10,330	192,311	127,327	140,420	189,995	2,822,933
2010	1,224,356	249,520	782,402	12,833	185,410	44,802	116,338	272,632	2,892,096

***** NJ values reflect striped bass harvested recreationally via the Bonus Fish Program
** NC values represent harvest during the December 1-November 30 fishing year
***Total harvest counted toward quota. NJ's quota is not counted toward the coastal quota.
+MD, VA and NC harvest from ocean only. Does not include Chesapeake Bay or Albemarle Sound/ Roanoke River.

Table 3. Total (commercial and recreational) Chesapeake Bay quotas and harvests, in pounds (2003-2010).

Year	Quota	Harvest
2003	10,500,000	8,726,383
2004	8,417,000	7,766,412
2005	9,285,588	8,646,183
2006	9,590,238	8,496,213
2007	9,590,238	8,432,214
2008	10,132,844	7,641,785
2009	10,132,844	8,467,818
2010	9,489,794	7,956,566

Table 4. Albemarle Sound / Roanoke River annual quota and harvest (2003 – 2010), in pounds.*

	Commercial		Recreational	
	Quota	Harvest	Quota	Harvest
2003	275,000	266,555	275,000	90,964
2004	275,000	273,636	275,000	187,288
2005	275,000	232,693	275,000	171,007
2006	275,000	186,399	275,000	120,518
2007	275,000	171,683	275,000	89,125
2008	275,000	74,921	275,000	64,353
2009	275,000	96,134	275,000	106,894
2010	275,000	199,829	275,000	83,507

* Quota is allocated 25% for the Roanoke River **recreational** fishery, 25% for the Albemarle Sound **recreational** fishery, and 50% for the Albemarle Sound **commercial** fishery

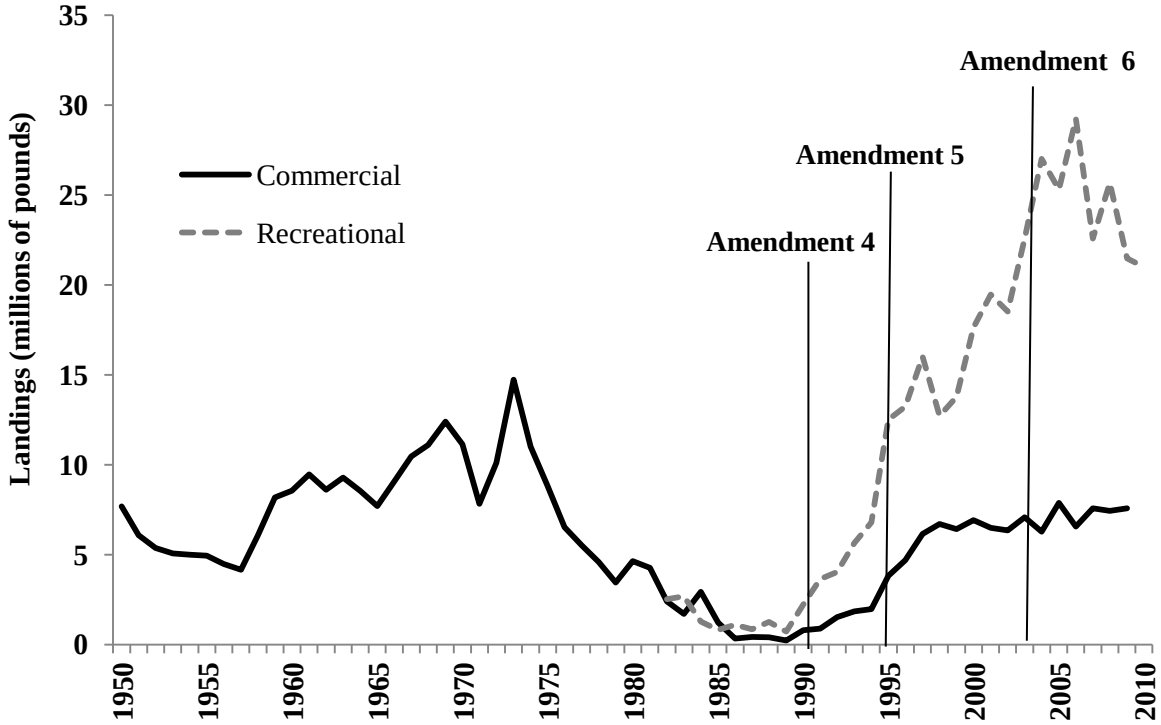

*Figure 1. Annual migratory striped bass landings (in pounds) from **coastal** and **Chesapeake Bay** fisheries, 1950 – 2011. Source: pers. communication with NMFS Fisheries Statistics Division, Silver Spring, MD*

2.2.3 Stock Status

Based on the results of the 2011 stock assessment update, Atlantic coast striped bass are not overfished and overfishing is not occurring. The statistical catch at age (SCA) model estimates female spawning stock biomass (SSB) at 50,548 metric tons (mt), above the SSB target and threshold levels of 37,500 and 30,000 mt, respectively (Figure 2). Estimates of recruitment (age-1 abundance) in 2010 increased from 2009 and were slightly higher than the recent (2005-2010) average. However the estimate was still below the post recovery time period average (1995-2010). While biomass estimates have remained relatively stable due to the growth and maturation of the 2003 year class and the accumulation of spawning biomass from year classes prior to 1996, stock abundance has declined from the time-series high in 2004 of 67.5 million fish to 42.3 million fish in 2010. The decline, as reflected by landings, is more prevalent in areas largely dependent on the Chesapeake Bay stock than in areas dominated by the Hudson River stock. A benchmark stock assessment for striped bass is scheduled for 2013.

2.2.4 Juvenile Recruitment

The Striped Bass Technical Committee annually examines the juvenile abundance indices (JAIs) for recruitment failure. Under Addendum II to Amendment 6, recruitment failure is defined as a value that is below 75% of all values in a fixed time series appropriate to each juvenile abundance index (as designated by the Q1 line in Figure 6). If any JAI shows recruitment failure for three consecutive years, the Technical Committee recommends appropriate action to the Striped Bass Management Board.

For the 2011 review of the JAIs, the trigger analysis was performed with the 2008, 2009, and 2010 index values. Single years of recruitment failure occurred in Maryland (2008), North Carolina (2009) and Maine (2010); however, three consecutive years of recruitment failure did not occur in any of the surveyed areas, so no action was triggered.

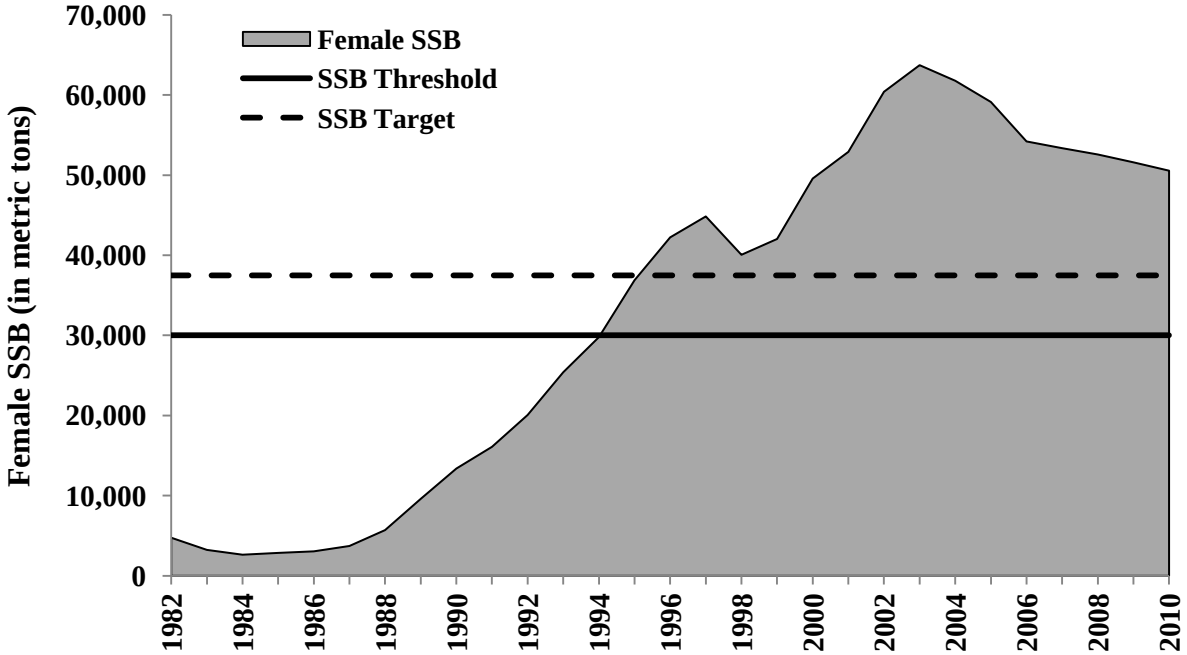

Figure 2. Estimated female spawning stock biomass (SSB, in metric tons) of striped bass. Source: ASMFC 2011 Striped Bass Stock Assessment Update.

2.2.5 Illegal Striped Bass Harvest

There are currently no reliable estimates of coastwide illegal harvest available, for either commercial or recreational fisheries, but data is available from specific law enforcement cases conducted by states and also among regions. The Interstate Watershed Task Force (IWTF) began investigations on illegal commercial harvest focused on the western shore of the Chesapeake Bay and the Potomac River in 2003. Their investigation indicated that numerous incidents of illegal striped bass commercial violations on the Potomac River were occurring. Fishermen from Virginia were targeting very large spawning fish in closed waters of the Potomac River Fisheries Commission and Maryland and oversized fish were being taken during the spawning season and sold illegally. Additionally fishermen in Maryland were taking advantage of loopholes in the state tagging system to falsely report large numbers of smaller fish, and obtain more tags to exceed quota limits.

Wholesale dealers were also complicit through false recordkeeping, false check-in, and knowingly buying illegal or untagged fish. Specific illegal activities included: taking fish during closed commercial season and tagging with open season tags; taking oversized striped bass; overharvest of quota; disguise of true gear used for harvest; re-use of commercial tags; use of expired tags; illegal use of other fishermen's commercial tags; sale of commercial striped bass tags; unmarked, oversized gill nets targeting breeding stock; and untagged fish being sold.

At the conclusion of the IWTF's investigation it was determined that over 1 million pounds of illegal striped bass were taken. The investigation resulted in conviction of 19 individuals and three corporations for a total of 140 months of cumulative prison time and 41 months of cumulative home detention, as well as $1,628,352 in fines and restitution. The investigation revealed that some of the control measures in place for regulating the harvest of striped bass were ineffective or inadequately designed to maximize compliance. The investigation has also shown that greater accountability of wholesalers would be difficult to achieve without uniform tags (colors, design) and tagging requirements, valid year and size limits inscribed on tags, and increased dealer compliance education.

The IWTF and LEC made the following recommendations based on the investigation:

1. Implement a uniform commercial tagging system among all states and jurisdictions where striped bass are harvested and landed for sale.
    a. Uniformity by year, style, color and inscriptions.
    b. Make tags valid for one year only.
    c. Inscriptions should include year, state, state size limits, and unique number.
    d. Use standardized, tamper-proof tags.
2. Require all fish harvested for sale to be tagged immediately upon possession.
3. Issue a set number of tags based on a sound scientific sample of the average (mean) weight of legal-sized fish harvested in open season for that gear type divided into the weight quota.
4. Require all unused tags to be returned on an annual or seasonal basis and prohibit license renewal if unused tags are not returned.
5. Implement license revocation or suspension as a primary penalty for state or federal violations.
6. Ensure that law enforcement officers have real-time access to tag numbers issued to each fisherman.

The State of Maryland has already enacted regulation changes to address some of the issues uncovered by the investigation, including inscription of year of validity on tags, a limited number of tags are issued to each pound net licensee, unused tags for all gear types must be returned annually and commercial license suspension or permanent revocation of repeat or egregious violators. Additionally, the Potomac River Fish Commission has prohibited some subjects from commercially fishing again in their jurisdiction and the State of Virginia suspended the commercial licenses of some subjects for two years.

2.2.6 Commercial Striped Bass Tagging Programs

Commercial striped bass fisheries occur in Massachusetts, Rhode Island, New York, Delaware, Maryland, the Potomac River Fisheries Commission, Virginia, and North Carolina. While not required under Amendment 6, commercial striped bass tagging programs exist in most states with a commercial fishery. These programs vary in many aspects, including the type of tags used, the level of monitoring occurring in the fishery, and the method of tag distribution. The following sections describe the commercial striped bass tagging programs, if any, occurring within Commission jurisdictions.

Massachusetts

For commercially harvested striped bass that will remain within the Commonwealth of Massachusetts, commercial tagging is not required of harvesters or dealers. Licensed dealers are required to buy tags ($0.16 apiece) if they are: 1) selling the fish out of state and 2) that state or jurisdiction requires striped bass harvested from its waters to possess a commercial tag. It is the dealer's responsibility to determine if the state or jurisdiction they are shipping to requires a tag. The state provides the order forms to the dealers and the dealers purchase tags from the tag maker directly. Tags are imprinted with the year and state of origin.

Dealer reporting requirement included weekly reporting to the Massachusetts Division of Marine Fisheries or SAFIS system of all striped bass purchases. In 2010 there were 178 permitted dealers authorized to purchase striped bass from fishermen.

Commercial fishermen may apply for a commercial striped bass license at anytime during the year, regardless if the commercial season is open or closed. The commercial striped bass season opens on July 12th (or the next open fishing day) and closes when the quota (1,140,807 pounds) is reached. Commercial fishermen may not possess striped bass less than 34" in total length and may take striped bass by rod-and-reel or handline only. Additionally commercial striped bass fishermen may not possess or land more than 30 striped bass per day on Tuesdays, Wednesdays, and Thursdays and 5 striped bass per day on Sundays during the open season. All striped bass which are the subject of a first sale shall be in the round, with the head, body and tail fully intact.

Commercial fishermen are required to accurately report their catch at the trip-level, including the location, dealer sold to, and quantity of all striped bass harvested during the open season and their monthly trip-level reports shall be filed no later than the 15th of the following month. Failure to complete and submit accurate and timely trip-level reports or falsification of any such report may result in a non-renewal of the striped bass endorsement. In 2010 there were 3,951 permitted striped bass commercial fishermen.

Figure 3. Example of commercial striped bass dealer tags for Massachusetts. Dealers are required to attach a tag to any striped bass shipped to a state that with tagging requirements.

Illegal possession of striped bass may result in: (a) revocation of the special permit, wholesale dealer permit, retail dealer permit, or authorization to purchase striped bass; (b) confiscation of all striped bass caught, possessed or sold in violation; (c) seizure and forfeiture of all property used in violation; (d) a fine not less than $ 100 nor more than $ 1,000; or (e) a combination of (a) through (d).

Any imported striped bass must be marked with a numbered tag that identifies the state of origin and must be accompanied by documents that verify state of origin. Nonconforming (undersized) striped bass may be imported into the Commonwealth only during the period corresponding to the Massachusetts closed commercial season, and those fish must have been legally taken, shipped and meet documentation requirements.

Rhode Island

In Rhode Island, the commercial tagging program occurs at the point of sale (i.e. striped bass are tagged when the fish is transferred from a licensed fisher to a licensed dealer.) No striped bass may be sold unless it has been properly identified with a special tag provided by the Rhode Island Division of Fish and Wildlife (RIDFW). RIDFW may designate tagging agents as appropriate. All designated tagging agents shall keep and maintain the required forms and logs specified by the Division of Fish and Wildlife. Tags are distributed to dealers by RIDFW. There are approximately 30 dealers. Dealers may pick up tags (200 at a time) for no charge at RIDFW office. Dealers may request additional tags so long as previously distributed tags have been accounted for. It costs approximately $2,000 annually for the state to produce the tags.

Regulations for the commercial striped bass fishery in Rhode Island include minimum sizes, possession limits, gear restrictions, seasons and quotas. The commercial quota, as determined by ASMFC, is divided between two sectors, floating traps (39%) and general category (61%). The quota for the general category, primarily rod and reel, is made available during two seasons (June 6th – August 31st: 75% and September 11th – December 31st: 25%). The entire floating trap fishery quota is available from January 1st through December 31st. When the RIDFW has determined that the annual floating fish trap quota has been reached, the floating fish trap harvest of striped bass will terminate. Floating fish trap operators are required to report landings of striped bass to SAFIS three times per week. If there is non-compliance with the reporting requirements, the possession limit for floating fish trap operators for striped bass will be unlimited until eighty percent of the floating fish trap allocation has been projected to be harvested. Once eighty percent has been harvested, there will be a possession limit of 500 pounds per fish trap licensee per calendar day.

To harvest striped bass within Rhode Island waters, a fisherman needs one of the following: a Multi-Purpose License, a Principal Effort License with a restricted finfish endorsement, a Resident Multi-Purpose Landing Permit or a Non-Resident Restricted Finfish Landing Permit. Additionally, floating trap fishermen need a gear endorsement to participate in the fishery. To be considered for a Principal Effort License, an application must be submitted by February 28th of the fishing year. New licenses are not made available unless a current license is retired. Anyone holding a license may renew the license the following year. A limited number of new Principal Effort Licenses with Restricted Finfish endorsements were available in 2012.

Figure 4. 2012 commercial striped bass tags for Rhode Island. Tags are 8.25 inches in length. Black tag (left) is valid for harvest with a "Fish Trap" permit. Yellow tag (right) is valid for harvest under a "General Category" permit. Tag colors change annually.

Floating trap landings are reported three times a week. General category fishermen have no reporting requirements; however dealers purchasing general category striped bass are required to report through SAFIS twice a week. The license or permit of any individual who fails to report required information in a timely fashion or who files a false report shall be subject to suspension or revocation. No application for a license renewal will be accepted from a person who has failed to submit reports in a timely fashion.

Any person, firm, or corporation shall be fined not more than fifty dollars ($50) for each striped bass taken, possessed, sold, possessed for sale, or offered for sale in violation of the regulations. In addition to the fine, the fish trap license of the person, firm, or corporation in violation shall be suspended for a period of one year.

New York

In order to participate in the commercial striped bass fishery, fishermen must possess both a striped bass commercial harvester permit and a food fish license. There are two types of striped bass commercial harvest tag allocations: a full quota share and a partial quota share. The striped bass commercial harvester permits are issued at no cost to persons who: 1) currently possess a valid New York State commercial food fish license; 2) who previously held a New York State license to sell striped bass during 1984, 1985, 1990, 1991, 1992, 1993, 1994, or 1995; and 3) who can demonstrate, for a full share, that 50 percent or more of their earned income resulted from direct participation in the harvest of marine species in any one year during the period 1994 through 2004. Participants who meet all three criteria are issued a full share quota tag allocation. Participants with a partial share quota tag allocation do not meet the income requirement above, but may apply for a full share by meeting the income requirement during the preceding year in which the permit is issued. Applications for striped bass commercial harvesters permits will be accepted until close of business June 1st. At this time no new striped bass permits are being issued by the state. Dealers must obtain a Food Fish and Crustaceans Dealers and Shippers license and must submit weekly reports of all Marine food fish purchases.

The department will issue serialized tags to permitted fishers. Individual tag allocations for all permit holders are achieved by first dividing New York's commercial striped bass quota by all

eligible permit holders. A partial share permit holder receives 20 percent of this individual allocation. The full share individual quota is derived by subtracting the partial share quota from the total and dividing by the number of full share permit holders to achieve the individual full share allocation. Each permit holder will be provided a number of tags equal to their individual quota. The permit holder is required to pay $0.25 per tag for all tags issued to them, paid in full prior to receiving the tag allocation for the current year. It is unlawful to reuse or alter any striped bass tag. A striped bass commercial permit holder who takes and possesses a striped bass of legal commercial slot size shall immediately attach and securely lock into place through the mouth and gill a numbered strap tag issued by the Department immediately after removing said striped bass from their gear and prior to attending another piece of gear. All striped bass not of legal commercial slot size shall be returned to the water immediately without unnecessary injury.

Fishing Vessel Trip Reports are completed, signed, and submitted to the department each month; if no fishing trips were made for striped bass during a month, a report must be submitted for that month stating no striped bass trips were made. Any permit holder that has lost tags must report such loss to the department on their reports. Permit holders must submit all required information, including, but not limited to, the name of the vessel, the permit number(s), trip type, all species taken, the striped bass tag serial numbers used for the trip, the weight (in pounds), and number of striped bass taken, the name and signature of the permit holder, and the date signed. Once commercial striped bass permit holders have reported 100 percent use of the individual allocation of tags, they are no longer required to submit reports for striped bass. Permit holders who fail to submit acceptable fishing Vessel Trip Reports to the department may be denied future commercial striped bass fishing permits. All striped bass commercial permit holders must return any unused tags to the department by December 20 of the year the tags were issued. Permit holders who fail to return unused tags may be denied future commercial striped bass fishing permits. Permit holders who fail to accurately account for all tags may receive a reduction in the number of tags allocated in the next fishing season in which the permit holder applies for a striped bass commercial permit. This reduction in tags will be equal to the number of tags not accounted for in the previous fishing season.

Figure 5. 2008 striped bass tag for New York. Tags are 8.5 inches in length. The metal tags are imprinted with a seven digit code which designates the year (first two digits) and the serial number (last five digits). Tag colors do not change annually.

It is unlawful to sell or offer for sale untagged striped bass or striped bass fillets or steaks unless the tagged carcass from which such fillets or steaks were removed is present and available for inspection. Possession of untagged striped bass or striped bass fillets or steaks without the properly tagged carcass in establishments where fish are sold or offered for sale (including wholesale establishments, retail establishments and restaurants) is presumptive evidence of intent

to sell, trade, or barter such striped bass. Retail markets may prepare portions of legally tagged striped bass for the consumer and must retain the tagged carcass until all portions are sold. The tag must then be removed from the rack and then destroyed by cutting the tag in two.

Delaware

In Delaware, all commercial fishermen and dealers must be licensed to harvest or purchase striped bass. Commercially harvested striped bass may be taken with the following gears: gill nets or hook and line. The spring striped bass gill net fishery occurs from February to May, the winter striped bass gill net fishery occurs in November and December and the striped bass hook and line fishery occurs from April to December. All three are considered separate fisheries. All commercial striped bass gill net fishermen must have a valid gill net fishing permit and are required to register in writing with the Delaware Department of Fish and Wildlife (DDFW) by February 1st for the February gill net fishery and by November 1st for the November gill net fishery. In order for a commercial fisherman to be authorized to participate in the commercial hook and line fishery, the fisherman must register in writing with DNR by March 15th of the fishing year.

Each fishery receives a portion of Delaware's total striped bass commercial quota[2]. Each fisherman in the gill net fishery is assigned an equal share of the total pounds of striped bass allotted by the DDFW to that fishery. A share is determined by dividing the number of pre-registered participants in that fishery into the total pounds of striped bass allotted to that fishery by DDFW. It shall be unlawful for any commercial fisherman to land, during a striped bass fishing season, more than the total pounds assigned to the fisherman. The hook and line fishery occurs derby style until the quota is filled. Any overage of Delaware's commercial quota will be subtracted from the next year's commercial quota proportionally to the appropriate fishery.

DDFW issues tags, at no cost, to each registered and licensed commercial fisherman. Tags cost $0.13 each to produce. For the gill net fishery, each fisherman is initially issued a quantity of tags determined by dividing the number of fishermen assigned a share in pounds by the estimated weight of a striped bass expected to be landed. In 2012 each commercial gill net fishermen was issued 200 tags by DDFW. If a commercial fisherman needs additional tags to fill his or her quota, DDFW will issue additional tags after verifying the balance of the share remaining from reports submitted by an official weigh station. For the hook and line fishery, DNR initially issues 20 tags to each registered fishermen. Tags may not be transferred, unless the transfer is made prior to the tags being issued by DDFW.

All striped bass harvested must immediately have a tag issued to the fisherman locked into place through the mouth and gill. A tag may not be applied if it had previously been applied to another striped bass. Additionally, all commercially harvested striped bass must be weighed and tagged with a second locking tag at an official weigh station. Tags are provided, at no cost, by DDFW. Tags cost $0.08 each to produce. Weigh stations receive tags based on the previous year's

[2] The total pounds of striped bass allotted to each fishery by DDFW is divided as follows: 95% of Delaware's commercial quota, as determined by the ASMFC, for the February - May gill net fishery, 10% of Delaware's commercial quota for the April - December hook and line fishery and, provided that in excess of two percent of the February - May gill net fishery allocation was not landed, the remainder is allocated for the November - December gill net fishery.

landings. The weigh stations maintained written logs of the date landed, number of fish, total daily weight, and also reported each fisherman's daily catch through an Interactive Voice Reporting system.

Each commercial fisherman participating in a striped bass fishery is required to file a harvest report to DDFW detailing all striped bass landed within 30 days after the end date of the fishery. All unused tags issued or legally transferred must be returned with the report. Failure to file an acceptable report or failure to return all unused tags may disqualify the commercial fishermen from future striped bass fisheries.

Figure 6. Striped bass tags for Delaware. Delaware regulations require commercial fishermen to tag striped bass with their allocated commercial striped bass tags (left). Tags are inscribed with state, approved gear and a unique identification number. Commercially caught striped bass must also be weighed and tagged (right) at a weigh station. The fishermen and weigh station tag colors change annually.

Maryland

Maryland's commercial striped bass fishery is managed under a limited entry program with a maximum of 1,231 permits issued. The commercial striped bass fisheries occur in two areas: the Chesapeake Bay and its tidal tributaries, and the Atlantic Ocean, its coastal bays and their tributaries. Within the Chesapeake Bay, commercial fishermen may use either pound nets, haul seines, gill nets, or hook and line. When fishing in the Atlantic Ocean, commercial fishermen may use otter and beam trawl or gill nets. When registering for a striped bass allocation permit, fisherman must specify the area and gear the permit will apply to. Fishermen can hold permits declared into more than one fishery and also transfer allocation permits to other fishermen. Permits may be transferred on an annual basis or a permanent basis. If a permit is transferred on an annual basis, the transaction must occur during a designated transfer period. Permanent transfers may be completed at any time. Fishermen may hold more than one permit in the gill net, pound net and Atlantic gear sectors, while hook and line fishermen are limited to one permit

allocation. Certain restrictions apply. Each gear type, except gill net and hook and line, receives an annual quota and fishing occurs until the quota is used. The gill net and hook and line fisheries occur derby-style until the quota is reached. All commercial fishermen must be registered for a striped bass allocation permit to participate in a striped bass season with Maryland Department of Natural Resources (MDNR) by August 31st of each year.

Prior to the start of a striped bass season, MDNR provides tamper-evident locking tags, free of charge, to each commercial fisherman based on the gear type. The cost to MDNR is $0.14/tag. MDNR will issue additional tags to participants in the gill net and hook and line fishery throughout the open season only if the harvest report submitted by the fisherman indicates that the quantity of tags issued is insufficient to complete the season. Participants in the pound net, haul seine, and Atlantic fisheries are issued a specific number of tags for the year based on the annual allocation. The number tags issued is based on the median weight of commercial harvested striped bass sampled by MDNR Biologists. The median is used because it is a more accurate representation of the fish harvested by most commercial fishermen when compared to the mean. Tags cannot be transferred. MDNR may not provide replacement tags for tags that are lost.

Area	Gear	Tag Color	# Tags Issued *	Individual Allocation	Season
Bay	gill net	Red	1,000	None	Jan 1 - Feb 29; Dec 1 – Dec 31
Bay	pound net	White	1,000	2,800	June 1 - Nov 30
Bay	haul seine	White	1,000	1,050	June 7 - Nov 30
Bay	hook and line	Dark Blue	1,000 - active; 500 - moderately active	None	June 7 - Nov 30
Atlantic	trawl/gill net	Gray	300	1,600	Jan 1 – Apr 30; Nov 1 – Dec 31

*Table 5.Commerical striped bass tagging information for Maryland. * Numbers issued to "active" fishermen. Fishermen that are not considered "active" will receive a form from MDNR each year they are registered, to request tags. The fishermen must submit this form to MDNR in order to receive tags.*

Figure 7. Maryland hook and line commercial striped bass fishery for 2011. Tags are inscribed with the year, gear code, state, fish code and a unique number.

All tags shall be securely affixed through the mouth and one gill opening immediately upon harvest by hook and line, within 200 yards of the pound net from which the striped bass was harvested from or before removing a striped bass from a boat or removing a boat from the water for all other gears. Only striped bass tags issued by the Department may be on board a vessel while engaged in fishing for striped bass in the Chesapeake Bay and its tidal tributaries. An allocation permit and striped bass tags for only one fishing-gear type may be on board a vessel at any one time. Current regulations require that any fillets be accompanied by a tag until sale to the final consumer.

All commercially caught striped bass must be counted and weighed at an approved check station, where a record of the numbers and weight of fish, date checked, commercial fish license number, and striped bass allocation permit number will be recorded and must be submitted to MDNR by Tuesday of the following week. The check station also calls in the daily total of poundage checked each day. Fishermen are required to file commercial fishing reports to the Department each month.

Any unused tags and the striped bass harvest permit card must be returned to the Department within 14 days immediately following the end of the quota year. Failure to return the permit card and unused tags may result in exclusion from a fishing year and eventual revocation of the permit. Failure to submit a monthly report may result in license revocation for one year.

Potomac River Fisheries Commission

Commercial striped bass fisheries in the Potomac River operate under an individual fish tagging system. Each commercially caught striped bass must be individually identified with a striped bass identification tag provided by the Potomac River Fisheries Commission at no cost to the fishermen. Identification tags must be applied as soon as feasible and in no event shall any commercially caught striped bass be removed from the Potomac River or from the boat at the point of landing, whichever occurs first, without the identification tag being firmly affixed through the mouth and gill opening. The tags shall be issued to a licensee and they cannot be transferred or sold, nor otherwise used by anyone except that licensee. However, a licensee may release his license back to the Commission, and it can be either issued to another person or made available in a public random drawing. All unused tags must be returned to the Commission after each respective fishing season.

The commercial gear types used in the Potomac to harvest striped bass include gill net, pound net, commercial hook & line, haul seine, fyke net, fish trot line and fish pot. There are approximately 400 commercial striped bass fishermen in the Potomac River. A fixed number of tags - based on the estimated size of fish available, the number of eligible fishermen, and the target cap for each gear type's fishery – are issued to each fisherman prior to the opening of a gear specific season. Limited entry fisheries include gill net, pound net and commercial hook & line. Striped bass tags for pound nets and fyke nets are not issued until the net has been verified as properly set by law enforcement. Haul seines also have to be measured and sealed prior to receiving tags. The striped bass tags are color-coded according to the gear type. The different gear types have various seasons.

The Potomac River Fisheries Commission has a mandatory daily harvest reporting program. Each fisherman is required to file detailed daily harvest reports for each gear type used. These daily harvest reports shall be delivered to, or mailed in time to arrive at, the Commission Office no later than Thursday of the following week. Any fisherman who cannot account for allocated tags within a fishing year will have a one-for-one deduction of tags allocated the next fishing year.

Figure 8. 2012 commercial tag from Potomac River Fisheries Commission. Tags are 13.5 inches in length. Tag shown (in black) is for the haul seine gear. Refer to Table 5 information on tag color scheme for other gears.

Tag Color	Tag Text	Gear
White	Black	Gill Net
Red	Black	Pound Net
Blue	Black	Hook/Line
Gray	White	Fyke Net
Black	White	Haul Seine
Orange	White	Fish Trot Line
Green	White	Fish Pot

Table 6. 2012 commercial tag description by gear type for the Potomac River Fisheries Commission

It is unlawful to counterfeit, alter or modify any Potomac River Fisheries Commission striped bass identification tag, or to possess, use or attempt to use any counterfeit, altered or modified tags. All such tags found by any agent of the Commission are to be seized, together with any fish and all other tags in possession. The Commission may, after a hearing, revoke or suspend licenses and/or recall all striped bass identification tags issued to any person found guilty, and refuse to issue any tags in the future to him or his assignee.

Virginia

In Virginia, all commercial fishermen must have a fishing license, appropriate gear license, and a special permit to fish for striped bass. Permits for the commercial harvest of striped bass in the Chesapeake area or coastal area shall be issued to any registered commercial fishermen holding striped bass quota shares. The total allowable level of all commercial harvest of striped bass from the Chesapeake Bay is 1,430,361 pounds of whole fish and from the coastal areas is 184,853 pounds of whole fish. A weight quota, in pounds, is assigned to each individual fisherman according to his/her share percentage of the total quota. Shares of the commercial striped bass quota held by any permitted fisherman may be transferred to any other person who is a licensed registered commercial fisherman. Certain limitations apply. For the purposes of assigning commercial striped bass tags, the fisherman's weight quota, in pounds, is converted to an

estimate in numbers of fish based on the average weight of striped bass harvested by the fisherman during the previous fishing year. The number of striped bass tags issued is equal the estimated number of fish to be landed by that fisherman, plus a buffer of 10% of the total number of tags issued to that fisherman. Tags are distributed, free of charge, by the Virginia Marine Resources Commission (VMRC) prior to the start of the fishing season on a designated date in January. In 2012 there were 445 fishermen that held Chesapeake Bay shares and 32 fishermen that held coastal shares. Most fishermen with a coastal share also hold a Chesapeake Bay share. At the beginning of the 2012 season, there were 410 fishermen who held Chesapeake Bay shares and 31 fishermen who held coastal shares. Sixteen fishermen who held a coastal share also held a Chesapeake Bay share.

Tags issued for Chesapeake area harvest quota shall only be used for striped bass harvests in the Chesapeake area, and tags issued for the coastal area harvest quota shall only be used for striped bass harvests in the coastal area. If a fisherman holds a permit for both the Chesapeake Bay and coastal fisheries, that fishermen may receive only one type of area-specific tag allotment (i.e. either Chesapeake Bay or coastal tags), of their choosing, prior to the start of the fishing season. The remaining area tags are distributed either when it has been determined, through the harvest reporting program, that the fisherman has used all of the first allotment of tags and has not exceeded his individual harvest quota or if the fisherman surrenders any remaining tags of his first allotment of tags.

All legal, commercially caught striped bass must be tagged at the place of capture, and before leaving that place of capture. Tags must be passed through the mouth of the striped bass and one gill opening, and interlocking ends of the tag must be connected such that the tag may only be removed by breaking. Striped bass tags are valid only for use by the fisherman to whom the tags were allotted. The fisherman must be on board the boat or vessel when striped bass are harvested and tags are applied. It is unlawful to possess striped bass in a quantity greater than the number of tags in possession. Any person who possesses any amount of striped bass in excess of the maximum number allowed for a licensed recreational fisherman shall be considered as possessing all striped bass for the purpose of sale. When any person possesses striped bass in excess of the maximum number allowed a licensed recreational fisherman, all striped bass must be tagged, and the possession of any untagged striped bass shall be prima facie evidence of a violation. Processed or filleted striped bass must be accompanied by the tags removed from the fish when processed.

Unlawful striped bass tags shall be confiscated and impounded by the commission and returned to the issuing agency for the following reasons:

1. Chesapeake area tags in the coastal area.
2. Tags issued for previous years for either the Chesapeake area or coastal area.
3. Potomac River Fisheries Commission striped bass tags in Virginia waters, excluding the Virginia tributaries of the Potomac River.
4. Maryland striped bass tags in Virginia waters.
5. Tags from any other jurisdiction in Virginia waters.

Figure 9. 2012 commercial striped bass tags from the Virginia Marine Resources Commission (top). Blue tag (top tag in bottom left photo) is valid for harvest in Virginia's portion of the Chesapeake Bay. Black tag (bottom tag in bottom left photo) is valid for harvest in the Atlantic Ocean off of the Virginia coast. An example of a legal sized commercially tagged striped bass in Virginia in 2011 (bottom right photo).

Any fisherman that has used all their allocated tags but has unused striped bass commercial quota can request additional tags from VMRC, after providing accounting for all previously issued tags. All fishermen are required to return all unused tags from the previous commercial season to VMRC within 30 days of harvesting their individual harvest quota, or by the second Thursday in January, whichever comes first. Any unused tags that cannot be turned in to the commission shall be accounted for by the harvester submitting an affidavit to the commission that explains the disposition of the unused tags that are not able to be turned into the commission. Each individual shall be required to pay a processing fee of $25, plus $0.13 per tag, for any unused tags that are not turned in to the commission. This report must be submitted prior to receiving the next season's commercial tag allotment.

All commercial fishermen must record and report daily striped bass harvest by specifying the number of tags used on striped bass harvested for each day by area and the daily total whole weight. Catch report must be submitted no later than the fifth day of the following month.

Any buyer permitted to purchase striped bass harvested from Virginia tidal waters shall provide written reports to the commission of daily purchases and harvest information including the date of the purchase, buyer's and harvester's striped bass permit numbers, and harvester's Commercial Fisherman Registration License number, the gear type, water area fished, city or county of landing, weight of whole fish, and number and type of tags (Chesapeake area or coastal area) that applies to that harvest. These reports are submitted monthly to VMRC no later than the fifth day of the following month. In addition, during the month of December, each permitted buyer shall call the Marine Resources Commission interactive voice recording system on a daily basis to report his name and permit number, date, pounds of Chesapeake area striped bass purchased and pounds of coastal area striped bass purchased.

North Carolina

In North Carolina, all commercial fishermen and dealers must be licensed to harvest or purchase striped bass. Commercial fishermen are required to first obtain a Standard/Retired Commercial Fishing License and then, for harvest in the Atlantic Ocean, apply for an Atlantic Ocean Striped Bass Commercial Gear Permit. There is no charge for the permit and there is no limit of the total number of permits available. Each fisherman must declare which gear (gill net; trawl; or beach seine) will be used to commercially harvest striped bass under the Atlantic Ocean Striped Bass Commercial Gear Permit. The permit is valid for three years and the fisherman may only use the approved gear to commercially harvest striped bass within that time period. (i.e. gear declarations are binding). A fisherman is not eligible for more than one Atlantic Ocean Striped Bass Commercial Gear Permit regardless of the number of Standard/Retired Commercial Fishing Licenses held by the person. There are no specific gear permits to harvest striped bass in the Albemarle Sound or Central Southern Management Areas; striped bass may be sold if harvested from any legal commercial gear, although the majority of landings occur from gill nets followed by a small amount of landings from pound nets.

In order to purchase striped bass, licensed dealers must obtain a Striped Bass Dealer Permit validated for the applicable harvest area: Atlantic Ocean, Albemarle Sound Management Area (ASMA) and/or the joint and coastal fishing waters of the Central/Southern Management Area (CSMA). The Dealer Permit is valid for one year. It is unlawful to import, buy, sell, transport, offer to buy or sell, or possess ASMA, CSMA, or Atlantic Ocean commercially caught striped bass except during any open striped bass season established for the ASMA, CSMA, or Atlantic Ocean. It is illegal to possess striped bass from another state without possession of a bill of lading and a numbered, state-issued tag from the State of origin affixed through the mouth and gill cover. This tag must remain affixed until processed for consumption by the consumer. The NC Division of Marine Fisheries shall specify the quantity of tags to be issued based on historical striped bass landings. Tags are free of charge to dealers and can be obtained by contacting the Division of Marine Fisheries. Each tag is inscribed with a unique number and the area of allowable harvest. Each permitted dealer must submit a daily harvest report which specifies the total number of tags used and the total weight. It is unlawful for the dealer to fail to surrender unused tags to the Division upon request. North Carolina Division of Marine Fisheries striped bass tags shall not be bought, sold, offered for sale, or transferred.

The majority of harvest in the ASMA occurs in the spring, but in general the same dealers and fishermen participate in both the spring and fall fisheries. In 2011, approximately 29,467 tags were used for 134,098 pounds harvested (total quota = ~60,000 fish). There were 27 active striped bass dealers that purchased striped bass. The eight most active dealers accounted for 90% of tags used. Recently the number of commercial fishermen in the ASMA selling fish to dealers ranges from ~250 to 350 participants.

In 2011, ~13,509 tags used for 424,600 pounds of ocean harvested fish (total quota = ~24,000 fish). No dealer used more than 3,900 tags. Approximately 21 dealers purchased at least one striped bass, but 88% were bought by the top 8 dealers. The number of permitted fishermen has been as high as 800 when striped bass are abundant, but in recent years there have been approximately 200-500 participants.

Table 7. 2012 commercial tag descriptions by water body and gear for North Carolina.

Tag Color	Water body
White	Atlantic Ocean
Blue	Albemarle Sound
Green	Central/Southern

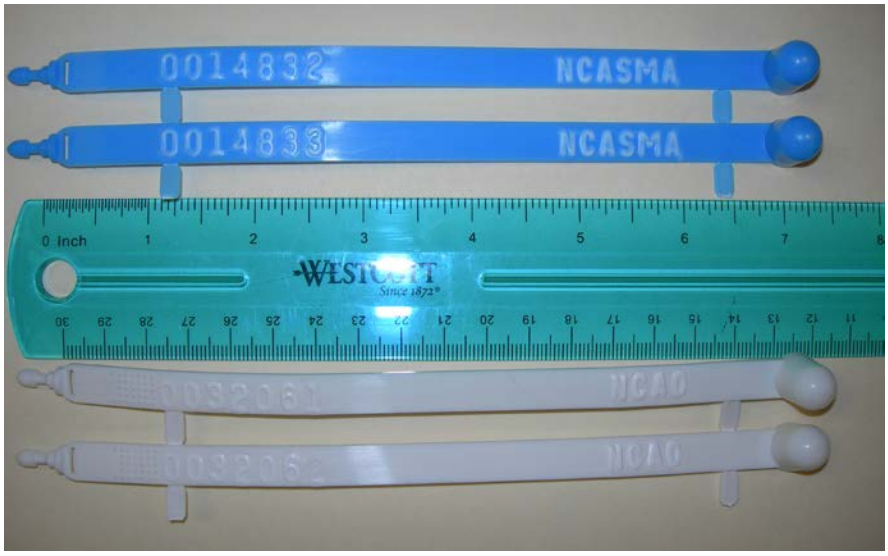

Figure 10. 2012 Commercial striped bass tags for North Carolina. Tags are seven inches in length. Blue tags (top) are valid for harvest in the Albemarle Sound Management Area. White tags (bottom) are valid for harvest in the Atlantic Coast off of North Carolina.

State	Massachusetts	Rhode Island	New York	Delaware	Maryland	PRFC	Virginia	North Carolina
2011 Weight Quota (Lbs.)	1,159,750	232,974	828,293	203,120	1,963,873	739,097	1,615,214	480,480
Number of Tags Issued	None	~25000	~90,000	~31,000 harvest, ~33,000 dealer	~1,421,000	~107,000	284,000	40,000
# of Participants	~4,000	Unknown	~490	111	1,231	~400	~450	700-800
Limited Entry	No	Yes	Yes	Yes	Yes	Yes	Yes	No
License Application Deadline	No	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Point of Tag	N/A	Sale	Harvest	Harvest*	Harvest	Harvest	Harvest	Sale
Unused Tags Turned In	N/A	No	Yes	Yes	Yes	Yes	Yes	Yes
Annual Tag Color	N/A	Yes	No	Yes	Yes	Yes	Yes	No
# of Tag Colors	N/A	2	1	2	5	7	2	3
Tag Color By	N/A	Gear	N/A	Fishermen/Dealer	Gear/Area	Gear	Area	Area
Year on Tag	N/A	Yes	Yes	Yes	Yes	Yes	Yes	Yes**
Size Limit on Tag	N/A	No	No	No	No	No	Yes	No

Table 8. 2012 Commercial Tagging Regulations by State/Jurisdiction.
**DE also requires tagging of commercially caught striped bass at official weigh stations.*
***Will be in place for the 2013 fishing year.*

3.0 Management Options

3.1 Commercial Tagging Program Implementation

States and jurisdictions are required to implement a tagging program for all commercially harvested striped bass within state or jurisdictional waters. Further descriptions of the program requirements are provided in the following sections.

A. Tag Information and Type

All states and jurisdictions with a commercial striped bass fishery are required to submit a Commercial Tagging Report to ASMFC no later than 60 days prior to the start of the first commercial fishery in that state or jurisdiction. The Commercial Tagging Report will include a picture of the tag(s), as well as a description of the tag color, style, and inscription for all gears and/or seasons issued. Additionally, it should include the number of tags issued or printed and a description of the biological metric used to determine the number of tags printed and distributed to participants.

All tags used in a state or jurisdictions tagging program must be tamper-evident. Tags are required to be valid for only one year or fishing season. Tags are required to be inscribed with, at a minimum, the year of issue, the state of issue, and a unique number that can be linked back to the permit holder. Where possible, tags should also be inscribed with size limit. State should consider the use of bar codes or QR codes imprinted on tags, for use in tracking fish from harvester to dealer to buyer, as the technology becomes more available. Changes to the tags, with the exception of year, are required to be reported to ASMFC as specified in Section 4.0.

B. Tag Timing

States or jurisdictions with a commercial striped bass fishery may choose to implement their commercial tagging program at either the point of harvest or the point of sale.

C. Tag Allowance

States and jurisdictions with a commercial striped bass fishery will be required to allocate commercial tags to permit holders based on a biological metric. This option is intended to help prevent state or jurisdictional commercial quota overages, which will contribute to the health and sustainability of the striped bass population. The biological metric used to allocate tags to participants is required to be included in the annual Commercial Tag Report.

Program examples include:

- In New York, the number of tags issued is equal to the average weight of striped bass harvested in the fishery in the previous year divided by the total striped bass quota assigned to New York by the ASMFC.

- In Virginia, the number of striped bass tags issued to each permitted fishermen equals the estimated number of fish to be landed by that fishermen's harvest quota based on their average catch from the previous year. A buffer of 10% of the total number of

tags issued to the fishermen is included. Fishermen may request additional tags from the VMRC if they use their initial allotment.

D. Tag Accounting

States and jurisdictions with a commercial striped bass fishery must require permit holders to turn in unused tags in or provide an accounting report for any unused tags prior to the start of the next fishing season. Tags or the accounting report shall be turned into the agency issuing the tags. The accounting report must include the disposition of all tags issued to the permittee (e.g. used, unused, broken, lost, etc). Permit holders who do not comply with this section may be subject to penalties as set forth in Section 3.2.

E. Reporting

States and jurisdictions with a commercial striped bass fishery shall, at a minimum, approve the ACCSP standards for catch and effort data collection. The ACCSP standard for commercial catch and effort data is mandatory, trip-level reporting of all species commercially harvested with reporting of specific minimum data elements; including species, quantity, state and port of landing, market grade and category, areas fished and hours fished. Dealers and/or harvesters landing catches must report to the state of landing monthly or more frequently, if possible. Each gear and area combination should be detailed; such as separate listings each time the fisherman changes gear or fishing area within a trip. Price data are preferred at the trip-level, but partners may opt to collect prices through dealer surveys.

F. Striped Bass Processing

For all commercial striped bass tagging programs, tags must remain affixed to the fish until processed for consumption by the consumer. Retail markets may prepare portions of legally tagged striped bass for the consumer but must retain the tagged carcass until all portions are sold. The tag must then be removed from the rack and destroyed (e.g. by cutting the tag in two). Possession of untagged striped bass or striped bass fillets or steaks without the properly tagged carcass in establishments where fish are sold or offered for sale (including wholesale establishments, retail establishments and restaurants) is presumptive evidence of intent to sell, trade, or barter such striped bass.

G. Striped Bass Exportation

Under this addendum it is unlawful to sell or purchase commercially caught striped bass without a commercial tag. This is to prevent the sale or purchase of untagged striped bass into a state or jurisdiction where there is currently no commercial fishery program.

3.2 Penalties

It is recommended that states and jurisdictions strengthen their penalties for striped bass violations, including counterfeit tag operations, so that the penalties are sufficient to deter illegal harvest of striped bass.

License revocation or suspension is supported as a primary penalty for state or federal violations. Civil and/or criminal penalties can be effective deterrents.

Tag Accountability Penalty

It is recommended that if the permit holder issued tags cannot account for unused commercial striped bass tags, then that individual will not be issued a commercial striped bass permit for the subsequent fishing year.

4.0 Compliance

States and jurisdictions are required to implement the provisions of this addendum prior to the start of the 2013 commercial striped bass fishing year. The Commonwealth of Massachusetts and the state of North Carolina are granted an extension and are required to implement the provisions of this addendum prior to the start of the 2014[3] commercial striped bass fishing year.

The compliance schedule is as follows:

For the 2013 Commercial Fishing Year

States and jurisdictions with a commercial striped bass fishery must implement programs in accordance with Addendum III to Amendment 6 to the Striped Bass FMP, with the exception Massachusetts and North Carolina as noted above.

60 Days Prior to the Start of the Commercial Fishery (for all gear types and seasons): Each state and jurisdiction with a commercial fishery, with the exception of Massachusetts and North Carolina, must submit a Commercial Tag Report that contains the information specified in Section 3.1(A) no later than 60 days prior to the start of the first fishing season in that state or jurisdiction. Massachusetts and North Carolina should provide the above information as possible. This information will be compiled and distributed to law enforcement officials to aid in commercial tag enforcement in the striped bass fishery.

For the 2014 Commercial Fishing Year

All states and jurisdictions with a commercial striped bass fishery must implement programs in accordance with Addendum III to Amendment 6 to the Striped Bass FMP.

60 Days Prior to the Start of the Commercial Fishery (for all gear types and seasons): Massachusetts and North Carolina must submit a Commercial Tag Report that contains the information specified in Section 3.1(A) no later than 60 days prior to the start of the first fishing season in that state or jurisdiction. For all other states and jurisdictions with a commercial striped bass fishery, each state or jurisdiction must report any changes to the tag program such as tag type, which includes color, text (with the exception of year), and style; the biological metric used; or any other requirements as specified under Section 3.1(A) no later than 60 days prior to the start of the first fishing season in that state or jurisdiction. This information will be compiled and distributed to law enforcement officials to aid in commercial tag enforcement in the striped bass fishery.

[3] The North Carolina commercial striped bass ocean fishery begins December 1st and runs through November 30th. Under this addendum the 2014 implementation date refers to the fishing year that occurs December 1, 2013 through November 30, 2014 and will be similarly applied for all fishing years thereafter.

For the 2015 Commercial Fishing Year and Annually Thereafter

60 Days Prior to the Start of the Commercial Fishery (for all gear types and seasons): States and jurisdictions with a commercial striped bass fishery must annually report any changes to the tag program such as tag type, which includes color, text (with the exception of year), and style; the biological metric used; or any other requirements as specified under Section 3.1(A) no later than 60 days prior to the start of the first fishing season in that state or jurisdiction. This information will be compiled and distributed to law enforcement officials to aid in commercial tag enforcement in the striped bass fishery.

Appendix 1. Summary of Atlantic Striped Bass Commercial Regulations in 2012

STATE	SIZE LIMITS	SEASONAL QUOTA	OPEN SEASON
ME	Commercial fishing prohibited		
NH	Commercial fishing prohibited		
MA	34” min.	1,159,750 lb. (minus any overage from previous year) Hook & line only	7.12 until quota reached; 5 fish/day on Sun; 30 fish/day Tues-Thurs
RI	Floating fish trap: 26” min. General category (mostly rod & reel): 34” min.	Total: 239,963 lb. (minus any overage from previous year) Split 39:61 between trap and general category. Gill netting prohibited.	Trap: 1.1 until quota reached; if there is non-compliance with reporting requirements, once 80% of the seasonal allocation is projected to be harvested, there will be a possession limit of 500 pounds/fish trap licensee/calendar day. General Category: 6.1-8.31 or 75% quota; 9.13-12.31 or 100% quota; 5 fish/day Sun-Thu.
CT	Commercial fishing prohibited		
NY	24–36” Ocean only (Hudson River closed to commercial harvest)	828,293 lb. (minus any overage from previous year). Pound nets, gill nets (6-8”stretched mesh), hook & line.	7.1 – 12.15 Gill nets <6 or >8”, 7 fish/trip; trawls 21 fish/trip. Gill nets prohibited in Great South, South Oyster, and Hempstead Bays.
NJ	Commercial fishing prohibited		
PA	Commercial fishing prohibited		
DE	28” minimum except 20” spring gillnet in DE Bay/River & Nanticoke River (5.5” max mesh & 0.28mm max twine)	193,447 lb. (minus any overage from previous year)	Gillnet: 2.15-5.31 (3.1-31 for Nanticoke) & 11.15-12.31; drift nets only 2.15-28 & 5.1-31; no fixed nets in DE River Hook and Line: 4.1–12.31 Except 4.1-5.31 closed spawning areas
MD	Bay and Rivers: 18–36” Ocean: 24”	Bay and River: 2,254,831 lbs (part of Baywide quota) Gear specific quotas and landing limits Ocean: 126,396 lb. (minus any overage from previous year)	Bay Pound Net: 6.1-11.30, Mon-Sat Bay Haul Seine: 6.7-11.30, Mon-Fri Bay Hook & Line: 6.7-11.30, Mon-Thu Bay Drift Gill Net: 1.1-2.28, 12.1-12.31, Mon-Fri Ocean Drift Gill Net & Trawl: 1.1-4.30, 11.1-12.31, Mon-Fri

STATE	SIZE LIMITS	SEASONAL QUOTA	OPEN SEASON
PRFC	18” min all year 36” max 2.15–3.25	739,097 lbs (part of Baywide quota)	Hook & line: 2.15-3.25, 6.1-12.31 Pound Net & Other: 2.15-3.25, 6.1-12.15 Gill Net: 11.14.11 – 3.25.12
DC	Commercial fishing prohibited		
VA	Bay and Rivers: 18” min, 28” max & complimentary gill net mesh size limit 3.26–6.15 Ocean: 28” minimum	Bay and Rivers: 1,538,022 lbs in 2010 (part of Baywide quota) Ocean: 184,853 lb. (minus any overage from previous year)	Bay and Rivers: 2.1-12.31 Ocean: 2.1-12.31
NC	Albemarle Sound: 18” Ocean: 28”	Albemarle Sound: 275,000 lb Ocean: 480,480 lb. (minus any overage from previous year) split 160,160 lbs each to beach seine, gill net & trawl	Albemarle Sound: 1.1-4.30, 10.1-12.31; daily trip limit ranging from 5 to 15 fish; striped bass cannot exceed 50% by weight of total finfish harvest; season and daily trip limits set by proclamation. Ocean: gear requirements; open days and trip limits for beach seine, gill net, and trawl set via proclamation