Atlantic States Marine Fisheries Commission

Summer Flounder, Scup, and Black Sea Bass Management Board and Mid-Atlantic Fishery Management Council

May 10, 2017
1:00 – 5:45 p.m.
Alexandria, Virginia

Draft Agenda

The times listed are approximate; the order in which these items will be taken is subject to change; other items may be added as necessary.

1. Welcome/Call to Order *(M. Luisi)* 1:00 p.m.

2. Board Consent 1:00 p.m.
   - Approval of Agenda
   - Approval of Proceedings from February 2017

3. Public Comment 1:05 p.m.

4. Scup Addendum XXIX for Final Approval **Final Action*** (*K. Rootes-Murdy*) 1:15 p.m.
   - Review Management Alternatives
   - Public Comment Summary
   - Technical Committee Report
   - Advisory Panel Report
   - Consider Final Approval of Addendum XXIX

   **Council will also take action on Scup Framework 10*

5. Review Summer Flounder Draft Comprehensive Amendment Range of Alternatives for Commercial Issues (*K. Rootes-Murdy & K. Dancy*) 2:00 p.m.

6. Consider 2017 Black Sea Bass Recreational Measures **Final Action** (*K. Rootes-Murdy*) 3:30 p.m.
   - Review Final 2016 Recreational Black Sea Bass Harvest Estimate
   - Consider Management Response to the Final Harvest Estimate

7. Review White Paper on Potential Experimental Recreational Wave 1 Black Sea Bass Fishery **Possible Final Action*** (*B. Muffley*) **Joint Board and Council Action* 4:30 p.m.
   - Consider Postponed Motion to Allow Experimental Wave 1 For-hire Fishery

     Motion to allow an experimental 2018 January/February (wave one), recreational, federally permitted for-hire fishery for black sea bass with a 15 fish per person possession limit, a suspended minimum size limit, and a zero discard policy to allow for barotrauma, and a mandatory trip reporting requirement.

The meeting will be held at the Westin Alexandria, 400 Courthouse Square, Alexandria, Virginia; 703.253.8600

8.	Review State Compliance with Addendum XXVIII Summer Flounder Recreational Measures for 2017 **Possible Action**	5:00 p.m.
9.	Review White Paper on Summer Flounder Recreational Specifications *(B. Ballou)*	5:15 p.m.
10.	Other Business/Adjourn	5:45 p.m.

The meeting will be held at the Westin Alexandria, 400 Courthouse Square, Alexandria, Virginia; 703.253.8600

MEETING OVERVIEW

Summer Flounder, Scup, and Black Sea Bass Management Board
and Mid-Atlantic Fishery Management Council Joint Meeting
May 10, 2017
1:00-5:45 p.m.
Alexandria, Virginia

Chair: Mike Luisi (MD) Assumed Chairmanship: 10/15	Technical Committee Chair: Greg Wojcik (CT)	Law Enforcement Committee Representative: Snellbaker (NJ)
Vice Chair: Bob Ballou	Advisory Panel Chair: Vacant	Previous Board Meeting: February 2, 2017
Voting Members: ME, NH, MA, RI, CT, NY, NJ, DE, MD, PRFC, VA, NC, NMFS, USFWS (14 votes for Black Sea Bass; 12 votes for Summer Flounder and Scup)		

2. Board Consent

- Approval of Agenda
- Approval of Proceedings from February 2, 2017

3. Public Comment – At the beginning of the meeting public comment will be taken on items not on the agenda. Individuals that wish to speak at this time must sign-in at the beginning of the meeting. For agenda items that have already gone out for public hearing and/or have had a public comment period that has closed, the Board Chair may determine that additional public comment will not provide additional information. In this circumstance the Chair will not allow additional public comment on an issue. For agenda items that the public has not had a chance to provide input, the Board Chair may allow limited opportunity for comment. The Board Chair has the discretion to limit the number of speakers and/or the length of each comment.

4. Scup Addendum XXIX for Final Approval (1:15-2:00 p.m.) Final Action*

Background

- The Board initiated Draft Addendum XXIX at the December 2016 joint ASMFC/MAFMC Meeting. At the 2017 ASMFC Winter meeting the Draft Addendum was approved by the Board for public comment. (**Briefing Materials**)
- The draft addendum proposes management alternatives for the start and end dates of the scup commercial quota periods.

Presentations

- Overview of the Draft Addendum and public comment summary by K. Rootes-Murdy (**Briefing Materials**)
- Technical Committee Report by G. Wojcik

Board Actions for Consideration

- Select management alternative
- Approve final document

**Council will also take action on Scup Framework 10*

5. Review Summer Flounder Draft Comprehensive Amendment Range of Alternatives for Commercial Issues (2:00-3:30 p.m.)

Background

- The Board and Council initiated a comprehensive amendment on summer flounder management in 2014. The amendment was initially intended to reconsider many aspects of the FMP, including goals and objectives, commercial and recreational management strategies, and allocation.
- In February, the Board and Council review recreational components of the FMP to determine which items could be dealt with faster through a framework process. The Board and Council agreed to move forward with the amendment focusing on goals and objectives and commercial management strategies in 2017.
- The Fishery Management Action Team (FMAT) held commercial working group calls in April 2017 to consider data needs to develop draft management alternatives. (**Supplemental Materials**)

Presentations

- Overview of draft range of alternatives for commercial issues by K. Rootes-Murdy & K. Dancy

Board Actions for Consideration

- Provide guidance on the development of management alternatives for commercial issues.

6. Consider 2017 Black Sea Bass Recreational Measures (3:30-4:30 p.m.) Final Action

Background

- In February, the Board and Council updated the commercial and recreational specifications for black sea bass after considering the results of the Black Sea Bass Benchmark Stock Assessment. The Board and Council approved increases to both the commercial quota and recreational harvest limit for 2017.
- The Board and Council maintained status quo recreational management measures for federal waters from 2016 and approved continuing ad-hoc regional management for 2017 with the specification that recreational harvest from Northern Region states (Massachusetts-New Jersey) not increase from 2016 levels.
- 2016 Preliminary harvest data through wave 6 (November/December) was released in late February and indicated higher harvest than previous projected. (**Supplemental materials**)

Presentations

- TC Review of 2016 black sea bass harvest estimates by G. Wojcik

Board Actions for Consideration

- Specification of final 2017 black sea bass recreational management measures for Northern Region states

7. Review White Paper on Potential Experimental Recreational Wave 1 Black Sea Bass Fishery (4:30- 5:00 p.m.) Possible Final Action*

Background

- In February, the Board and Council tabled a motion to allow an experimental recreational black sea bass fishery in wave 1 (January/February) in 2018:

Motion to allow an experimental 2018 January/February (wave one), recreational, federally permitted for-hire fishery for black sea bass with a 15 fish per person possession limit, a suspended minimum size limit, and a zero discard policy to allow for barotrauma, and a mandatory trip reporting requirement.
Motion by: (Council) Mr. DiLernia, seconded by Mr. King; (Board) Mr. Heins, seconded by Mr. Reid.

- Analysis on the tabled motion was completed by Council staff to evaluate the fishery and its potential impacts and provide considerations on the potential management action. (**Supplemental Materials**).

Presentations

- Experimental Recreational Wave 1 Black Sea Bass Fishery by B. Muffley

Board Actions for Consideration

- Approve an experimental recreational wave 1 black sea bass fishery in 2018*

**Joint Board and Council Action*

8. Review State Compliance with Addendum XXVIII Summer Flounder Recreational Measures for 2017 (5:00-5:15 p.m.) Possible Action

Background

- In February, the Board approved Addendum XXVIII for 2017 summer flounder recreational management. The Addendum specified that states must notify the Board of their final 2017 measures by March 1, 2017.

Presentations

- Review of state compliance with Addendum XXVIII measures by K. Rootes-Murdy

Board Actions for Consideration

- Finding states out of compliance if required measures of Addendum XXVIII have not been implemented

9. Review White Paper on Summer Flounder Recreational Specifications (5:15-5:45 p.m.)

Background

- Since 2014, 4 addenda (including Addendum XXVIII) have been approved annually to continue regional management under conservation equivalency.
- A white paper outlining current recreational management specifications, annual process, and challenges was developed to identify how summer flounder recreational management can be improved. (**Supplemental Materials**).

Presentations

- Review White Paper on Summer Flounder Recreational Specifications by B. Ballou

Board Actions for Consideration

- Provide guidance on addressing summer flounder recreational management issues associated with regional management and/or conservation equivalency

9. Other Business/Adjourn

Dr. Chris Moore
Chairman
Mid Atlantic Fishery Management Council

April 27, 2017

Dear Dr. Moore and members of the Council,

The Connecticut Charter and Party Boat Association is comprised of 40 professional charter boats sailing from ten different Connecticut ports, covering the Western, Central and Eastern Long Island Sound. Our Professional Captains have verified credentials, are held to the highest ethics standards and are out on the water everyday often acting as the Sheppard's of their areas.
Our comments below have been organized in order of importance to us:
Poor recreational harvesting data causes unstable regulations to be published usually late in the end of the first quarter of most years. Sales can't begin till the second quarter as businesses are afraid of selling customers fishing trips for species that new regulations might closed. This inability to sell trips combined with open/closed dates varying greatly from year to year for our targeted species doesn't allow our businesses to plan to grow for the future. Data collection accuracy must be addressed.

-One example: MRIP data showed CT. anglers harvested 990,000 pounds of Black Sea Bass in 2016 which was said to be up dramatically from 2015. The CCPBA divided 990,000lbs by 2.04 (avg. keeper weight) then divides again by the season length in days (245) which calculates to 1990 keeper Sea Bass caught by rod and reel every single day of the open season. Now take into consideration poor weather cancels 5 to 10% of trips during the summer months and greater than 33% in the fall and this reduces the season length to less than 160 days. -Please be are aware that the Black Sea Bass biomass migrates through Long Island Sound during the fishing season. The Central and Western Sound hosts the Spring migration May-June then in July the Sea Bass move East in which the Niantic, New London and Mystic ports are able to target them. At this point Western and Central Long Island Sound are absent of Sea Bass dividing down the boats that can pursue them. -Finally, our Charter Captains report seeing 3 to 4 recreational anglers per vessel on the weekends, and rarely encounter any recreational boats out during the week. With a recreational limit is 5 Sea Bass per person (if they are successful), it is very difficult to believe the harvest data when you divide by real time professional observations.

The CCPBA recognizes the benefits of a "For Hire Category" stretching from Mid-New Jersey to include Cape Cod and data shows stable landings from charter boats over a long period of time. By the start of the 2017 fishing season over 50% of our membership will be voluntarily using Electronic data submission (Safis) (in both State and Federal waters) which could be used as a Census (an actual count) vs. a Survey (a guess on how the fleet caught). We could guarantee 100% compliance including discards, by the time of a for hire category announcement. We would ask for three years' terms on published regulations, which would allow our businesses to further plan and grow. We are sure the positive growth would be extended to the businesses in the communities surrounding our ports and Connecticut tourism can refocus on the shoreline and away from just our casinos.

After reviewing (and endorsing) the State of New Jersey Summer Flounder appeal, the CCPBA recognizes a slightly different body of Summer Flounder (SF) inhabit Connecticut waters. When applying maximum sustainable yield to a for hire category fishing in Connecticut, the CCPBA feels a slot limit (16to19") preserves the breeders and reduces mortality rates in discarded SF. As Option 5 has reduced our bag limit to three SF, we believe with the extra conservation imposed by the slot limit, we can add one trophy fish (19" and over) per person per day, keeping the same season length.

The Striped Bass population in Long Island Sound has been virtually non-existent since 2013. Since that time Black Sea Bass have become vital to our businesses. We file concern for the experimental Wave 1 Black Sea Bass season, in which no minimum size and a 15 fish bag limit per angler has been applied. The ramifications of the 2016 NJ/NY Wave 6 Black Sea Bass data could be crippling to CT Charter Boats, then apply additional landings during Wave 1 cause grave concern for our Connecticut Captains. The areas that would benefit from this Wave 1 experimental season have other species to target, such as (Tautog, Scup, Striped Bass) during Wave 1. If Sea Bass are over harvested out of our shared recreational quota, and the CT Sea Bass Season is shortened, our boats will have nothing to fish for in May and June. This would be devastating.

Thank you for your consideration,
The Officers and Captains of
The Connecticut Charter and Party Boat Association

Kirby Rootes-Murdy

From: Kirby Rootes-Murdy
Sent: Monday, May 01, 2017 1:35 PM
To: Kirby Rootes-Murdy
Subject: FW: Summer Flounder Amendment
Attachments: MAFMC-ASMFC Scopping Comments 10-27-2014.pdf

From: Rick Bellavance [mailto:makosrule@verizon.net]
Sent: Wednesday, April 26, 2017 11:18 AM
To: Moore, Christopher <cmoore@mafmc.org>
Subject: Summer Flounder Amendment

Hello Chris,

I have attached comments that the RIPCBA submitted in 2014 during scoping for the MAFMC Summer Flounder Amendment. In addition, I would like this email to be included for the record. The RIPCBA is encouraged by the MAFMC's continued work on the summer flounder amendment and we would like to reiterate how important it is to our industry that the amendment explore separate regulations for the for-hire component of the recreational fishery. Since 2014, the future of our industry has become less and less certain and we strongly believe managing our industry in the same way as the private and shore fisheries has contributed to that uncertainty. Throughout the northeast charter and headboats are leaving the industry and we feel it is important that this amendment include options that preserve our historic industry, including options that consider separate regulations that will encourage growth in our industry. The MAFMC has approved mandatory electronic reporting for federally permitted vessels, an action we fully support. As we work to improve the timeliness and accuracy of the for-hire catch and effort data, we would like to see the ability to set regulations that are reflective the ability to monitor our catch with high accuracy. Thank you once again for the opportunity to comment on this important amendment and we look forward to continued engagement as the amendment moves forward.

Rick

Capt. Rick Bellavance, President
RI Party and Charter Boat Association
401-741-5648
www.rifishing.com

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70 Gladys Drive
North Kingstown, RI 02852
401-741-5648
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Chris Moore, Executive Director
Mid-Atlantic Fisheries Management Council
North State Street, Suite 201
Dover, DE 19901

October 27th, 2014

Dear Mr. Moore,

On behalf of the 70 members of the RI Party and Charter Boat Association and the thousands of fishermen who fish aboard our vessels each year, I offer the following comments regarding the Summer Flounder Amendment Scoping Document.

FMP Goals and Objectives

1. Change Goal One to "Achieve F Rates that allow optimal harvest of summer flounder without overfishing"
2. The other goals still seem appropriate for summer flounder management

Quota Allocation

1. Examine the current 60/40 commercial recreational split to see if it still represents the best and most equitable allocation of the resource with consideration of economic value.
2. Extremely important to develop a separate allocation for the for hire industry

Commercial Summer Flounder Fishery

1. Develop commercial catch share programs with adequate reporting and monitoring. Encourage cooperative management that allows fishermen the flexibility to fish safely with predictability while selling their catch for the highest amount possible

Recreational Summer Flounder Fishery

1. Absolutely the single most important action to consider for the management of the recreational fishery is to develop separate allocations for the for hire component of this sector. The conflict created by trying to manage the sectors identically has become unmanageable and needs to be addressed.
2. Use ER tools such as ACCSP's Safis etrips mobile to mandate a census surveying of the for hire fleet region wide. Include discard information. The council needs to work with GARFO to make sure reporting is not duplicative.
3. Develop recreational fishing regions based of the range of the resource and practical availability to it. Reach out recreational fishermen to determine how the fishery works for them and develop regions based on that input. Regulations should be consistent throughout each region and across jurisdictions within each region. An example of a region might be eastern LI, CT and RI including federal and state waters.

Discard Reduction

1. Work collaboratively with industry to develop management tools that reduce discards in the commercial fishing fleet. Use data gathered in the RI Summer Flounder pilot catch share program as an example of effective management that reduces discards, promotes safety, and maximizes value of the resource.
2. Promote equity by working to reduce the recreational size limit to 16 inches coastwide, which is closer to the commercial size limit. This size has proven to be beneficial to the recreational experience as shown in the RI Fish for the Future pilot for hire cooperative program conducted during the 2013 and 2014 seasons.

The RIPCBA is encouraged by the joint MAFMC/ASMFC efforts to reach out to summer flounder fishermen as part of the scooping process and we look forward to participating throughout the entire amendment's development and implementation. Thank you for the opportunity to comment on this important document.

Capt. Rick Bellavance, President
R.I. Party and Charter Boat Association

Summer Flounder Recreational Management

White Paper

Introduction

In February 2017, the Board approved Addendum XXVIII (ASMFC, 2017) to the Summer Flounder, Scup, and Black Sea Bass FMP. The Addendum specified a one-inch increase in size limit and reduced possession limits to stay within the 2017 recreational harvest limit (RHL) and maintained the following regional alignment from 2016: Massachusetts; Rhode Island; Connecticut through New York; New Jersey; Delaware through Virginia; and North Carolina. The needed harvest reductions through summer flounder recreational management measures specified in the Addendum came in response to the 2015 and 2016 stock assessment updates which found that fishing mortality rate in 2015 was above the fishing mortality threshold and that Spawning stock biomass was estimated to be 58% of the biomass target and only 16% above the biomass threshold (Terceiro, 2016). In August 2016, the Board and Mid-Atlantic Fishery Management Council approved an approximate 30% reduction to both the 2017 commercial quota and RHL in response to the findings of the stock assessment updates.

Achieving these needed reductions for 2017 is not easy and the process undertaken to develop Addendum XXVIII and public comment received on the draft document demonstrated this. The Addendum noted that the management program for 2017 will '…have shortcomings with regards to addressing this problem, and thus intends for it to be an interim program while focusing on the development of a more comprehensive solution for the future'. Moving forward, the Board should re-consider the framework that has allowed regional management under Conservation Equivalency in recent years and develop an approach that provides more consistency in management measures year to year, improves stakeholder buy-in, uses the best available science. The following lays out the background for the current management program; the annual specification process; and then highlights challenges and questions for the Board to consider moving forward.

Background

Summer flounder, scup, and black sea bass fisheries are managed cooperatively by the states through the Atlantic States Marine Fisheries Commission (Commission) in state waters (0-3 miles), and through the Mid-Atlantic Fishery Management Council (Council) and the NOAA Fisheries in federal waters (3-200 miles). The management unit for summer flounder in US waters is the western Atlantic Ocean from the southern border of North Carolina northward to the US-Canadian border.

Amendment 2 (MAFMC, 1993) to the Fishery Management Plan (FMP) required each state (Massachusetts through North Carolina) to adopt the same minimum size, possession limit, and season length as established in federal waters for the recreational fishery, allowing only for different timing of open seasons. The consistent measures were intended to uniformly impact

the resource and stakeholders in all state and federal waters throughout the management unit. However, the states later determined one set of management measures applied coastwide did not provide equitable access to the resource due to the significant geographic differences in summer flounder abundance and size composition. To address this disparity, the FMP was amended in 2001 (Framework Adjustment 2; MAFMC, 2001) to allow for the use of state-specific "conservation equivalent" management, through which recreational harvest would be constrained the same as under coastwide management. The Board and Council would engage in an annual process of determining whether to manage the fishery with coastwide measures or state-specific conservation equivalency; if the latter, the Board would have the lead in approving state-specific regulations. Concurrently, the Board adopted a series of addenda (Addenda III and IV in 2001, and Addendum VIII in 2004; ASMFC 2001, 2004) implementing state-based conservation equivalency. Estimates of state recreational landings in 1998 were established as the basis for state recreational allocations- this is outlined in Addendum VIII (see Table 1) upon which state-by-state regulations could be developed. From 2001-2013, the Board and Council opted to use state-specific conservation equivalency tied to the proportion of each state's estimated 1998 recreational landings. This provided states with the flexibility to tailor their regulations—i.e., minimum size, possession, and season limits—to meet the needs and interests of their fishery, provided their targets were not exceeded.

Table 1. State summer flounder harvest in 1998 and the proportion of harvest conservation equivalency state-by-state harvest targets are based on (Addendum VIII)

State	1998 estimated harvest (thousands)	Percent of the 1998 harvest
MA	383	5.5%
RI	395	5.7%
CT	261	3.7%
NY	1,230	17.6%
NJ	2,728	39.1%
DE	219	3.1%
MD	206	3.0%
VA	1,165	16.7%
NC	391	5.6%

The Board also adopted Addendum XVII in 2005 (ASMFC, 2005), enabling the states to voluntarily opt into multi-state regions that would set regulations based on a pooling of their 1998-based allocations. The Council followed suit with the adoption of Framework Adjustment 6 in 2006, complementing the regional approach set forth by Addendum XVII. However, no states used this optional regional conservation equivalency approach.

Re-assessing in the Face of Changing Conditions:

The use of state-by-state regulations based on estimated state harvests in 1998 succeeded, initially, in mitigating the disparity in conservation burden among states, but later became viewed as an inadequate long-term solution, given changes in resource status and fishery performance.

As 2013 came to an end, the Board identified the following problems with the use of state allocations based on estimates of recreational harvest in 1998:

1. Substantial variation in stock dynamics since 1998. These included a six-fold increase in spawning stock biomass and expansion of the age structure from including 2–3 age classes to 7 or more. These changes led to geographic shifts in the distribution of the resource; as the stock rebuilt, its range expanded. Climate change was also identified as possibly contributing to shifts in migratory patterns, spatially and temporally.

2. Substantial changes in socio-economic patterns since 1998, particularly with regard to the number and distribution of anglers along the coast. For example, estimated angler participation increased significantly, and a growing percentage of harvest was attributed to private/rental vessels in contrast to shore-based and party/charter vessel harvest. Industry advisors indicated the rising costs of fuel, bait, and other trip expenditures were impacting angler effort.

3. Possible error in the estimates of harvest for 1998. Measuring recreational catch and effort, particularly on a state-by-state basis, is challenging and not without uncertainty in the estimates. The methods used to estimate recreational catch and effort are continually evolving, resulting in more accurate and precise estimates in more recent years.

4. Major disparities in the regulatory programs among the states; for example, as recently as 2012 and 2013, no two states had the same regulations, and several neighboring states had regulations that differed significantly. A case in point was New York, whose regulations were more restrictive than any other state, and that contrasted markedly with those of New Jersey, Connecticut, and Rhode Island.

To address these concerns, the Board adopted Addendum XXV, which implemented conservation equivalency on a regional basis for 2014. Five regions were established: 1) Massachusetts; 2) Rhode Island; 3) Connecticut, New York, and New Jersey; 4) Delaware, Maryland, and Virginia; and 5) North Carolina. All states within each region were required to have the same possession limit, size limit, and season length. To achieve regulatory uniformity within each region, and to meet the coastwide harvest target, regulatory revisions were enacted for CT, NY, NJ, DE, and MD in 2014 (Table 2). For 2015, the Board continued regional management, with the same regions, via Addendum XXVI. For all states, the same regulations in effect for 2014 were maintained for 2015 (Table 2).

Table 2. State regulations, 2013–2016. 2013 represents the last year state-by-state regulations applied; regional management applies 2014–2016. Colorblocking indicates regions. Red font indicates change from prior year.

	2013	2014	2015	2016
MA	16" 5 fish May 22-Sep 30	16" 5 fish May 22-Sep 30	16" 5 fish May 22-Sep23*	16" 5 fish May 22-Sep 23 (125 day season)
RI	18" 8 fish May 1-Dec 31	18" 8 fish May 1-Dec 31	18" 8 fish May 1-Dec 31	18" 8 fish May 1-Dec 31 (245 day season)
CT	17.5"** 5 fish May 15-Oct 31	18"** 5 fish May 17-Sep 21	18"** 5 fish May 17-Sep21	18"** 5 fish May 17-Sep21 (128 day season)
NY	19" 4 fish May 1-Sep 29	18" 5 fish May 17-Sep 21	18" 5 fish May 17-Sep21	18" 5 fish May 17-Sep21 (128 day season)
NJ Coast **NJ Delaware Bay**	17.5" 5 fish May 18-Sep16 17.5" 5 fish May 18-Sep16	18"*** 5 fish May 23-Sep 27 18" 5 fish May 23-Sep 27	18"*** 5 fish May 23-Sep 26 18" 5 fish May 23-Sep 26	18"*** 5 fish May 21-Sep 25 (128 day season) 17" 4 fish May 21-Sep 25 (128 day season)
DE	17" 4 fish Jan 1-Dec 31	16" 4 fish Jan 1-Dec 31	16" 4 fish Jan 1-Dec 31	16" 4 fish Jan 1-Dec 31 (365 day season)
MD	16" 4 fish Mar 28-Dec 31	16" 4 fish Jan 1-Dec 31	16" 4 fish Jan 1-Dec 31	16" 4 fish Jan 1-Dec 31 (365 day season)
VA	16" 4 fish Jan 1-Dec 31	16" 4 fish Jan 1-Dec 31	16" 4 fish Jan 1-Dec 31	16" 4 fish Jan 1-Dec 31 (365 day season)
NC	15" 6 fish Jan 1-Dec 31	15" 6 fish Jan 1-Dec 31	15" 6 fish Jan 1-Dec 31	15" 6 fish Jan 1-Dec 31 (365 day season)

*MA change in season not due to cut, but correction of error from prior year

**CT has 45 designated coastal sites where minimum size is 16" for the 5-fish limit, 2013–2016

*****NJ has 1 designated coastal site where 2 fish at 16" can be taken, 2014–2016 (another 3 at 18" can be taken outside of the designated site)**

For 2016, the Board again continued regional management via Addendum XXVII, with one adjustment to provide more equity in recreational opportunities for anglers in the Delaware Bay. That adjustment involved establishing New Jersey as a stand-alone region, with the caveat that New Jersey would enact separate management measures for the New Jersey portion of Delaware Bay, while maintaining regulations for the rest of its waters consistent with those of New York and Connecticut. New Jersey complied by enacting regulations for Delaware Bay that were closer to those of Delaware. For all other states the same regulations in effect for 2014 and 2015 were maintained for 2016 (Table 2).

In practice, the recreational fishery for summer flounder is managed on a "target quota" basis. A set portion (40%) of the total allowable landings is established as a recreational harvest limit (RHL), and management measures are established by the states that can reasonably be expected to constrain recreational harvest to this limit each year. It has historically been deemed impractical, because of the limitations of producing timely landing estimates, to try to manage the recreational fishery based on a real-time quota. Over the past nine years, the coastwide harvest exceeded the annual coastwide RHL four times: 2007, 2008, 2014, and 2016 (Table 3).

Table 3. Coastwide Harvest Relative to Coastwide RHL: 2007-2016

Year	2007	2008	2009	2010	2011	2012	2013	2014	2015	2016
Coastwide Harvest (mil. lb)	9.34	8.15	6.03	5.11	5.96	6.49	7.36	7.39	4.72	6.38
Coastwide RHL (mil. lb)	6.68	6.21	7.16	8.59	11.58	8.49	7.63	7.01	7.38	5.42
Percent of RHL harvested	**139.77%**	**131.25**	84.22%	59.47%	51.43%	76.44%	96.40%	**105.41%**	63.97%	**117.00%**

*2016 Harvest is preliminary and subject to change.

Recreational Survey Estimates

The Marine Recreational Information Program, or MRIP, is a program under NOAA Fisheries which counts and reports marine recreational catch and effort. MRIP is driven by data provided by anglers and captains. MRIP replaced the Marine Recreational Fisheries Statistics Survey, or MRFSS, in 2008, which had been in place since 1979. MRIP is designed to meet two critical needs: (1) provide the detailed, timely, scientifically sound estimates that fisheries managers, stock assessors, and marine scientists need to ensure the sustainability of ocean resources and (2) address head-on stakeholder concerns about the reliability and credibility of recreational fishing catch and effort estimates. MRIP is an evolving program with ongoing improvements. Detailed information on MRIP and the improvements can be found at http://www.st.nmfs.noaa.gov/recreational-fisheries/index.

Stock Status

The most recent peer-reviewed benchmark assessment for summer flounder (Northeast Regional Stock Assessment Workshop 57, NEFSC 2013) was updated in July 2016. The assessment utilizes an age-structured assessment model called ASAP. Results of the assessment update indicate the summer flounder stock was not overfished but overfishing was occurring in 2015 relative to the updated biological reference points established in the 2013 SAW 57 assessment. The fishing mortality rate has been below 1.0 since 1997, but was estimated to be 0.390 in 2015, above the threshold fishing mortality reference point FMSY = 0.309 (Figure 1). Spawning stock biomass (SSB) was estimated to be 88.9 million pounds (36,240 mt) in 2015, about 58% of the biomass target SSBMSY = 137.555 million pounds (62,394 mt) and 16% above the biomass threshold (Figure 2). The 2015 year class is estimated to be about 23 million fish at age 0, continuing the trend of below-average year classes for the past six years (2010-2015).

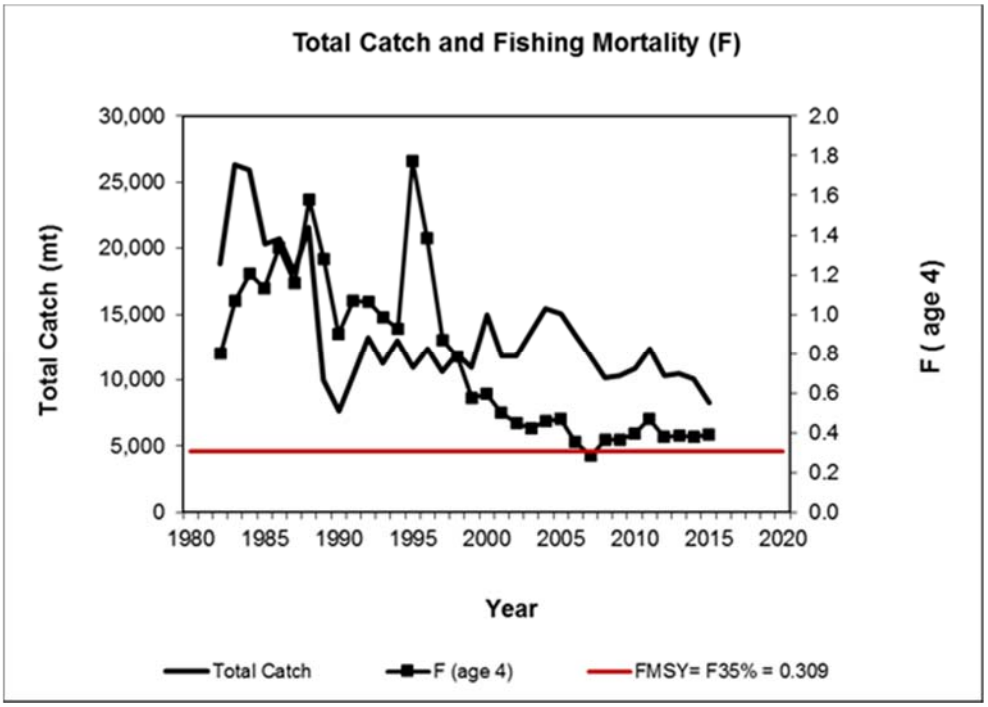

Figure 1. Total fishery catch and fully-recruited fishing mortality (F, peak at age 4) of summer flounder. The horizontal red line is the 2013 SAW 57 fishing mortality threshold reference point proxy. Source: NEFSC Summer Flounder Stock Assessment Update for 2016 (June 2016).

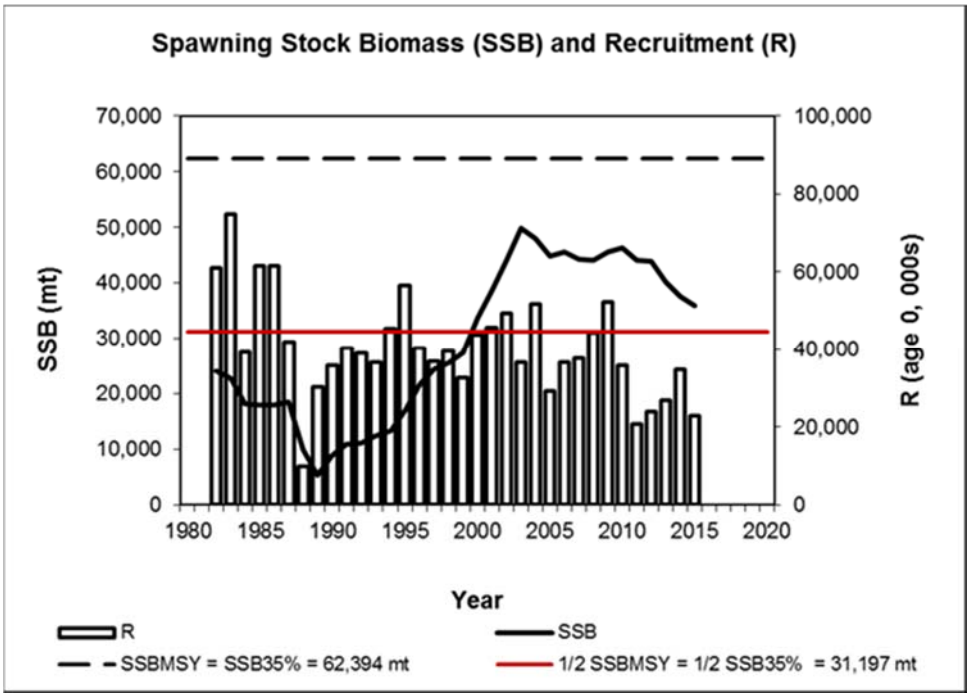

Figure 2. Summer flounder spawning stock biomass (SSB) and recruitment at age 0 (R) by calendar year. The horizontal dashed line is the 2013 SAW 57 biomass target reference point proxy; the horizontal red line is the biomass threshold reference point proxy. Source: NEFSC Summer Flounder Stock Assessment Update for 2016 (June 2016).

Annual Process

Annually, the Commission and Council meet to establish catch limits and specify management measures to achieve those catch limits for the following year. In first establishing the catch limits, the following process takes place: The Council's Science and Statistic Committee (SSC) meets to reviews the most recent stock assessment, biomass projections, and recommends an Overfishing Limit (OFL) and Acceptable Biological Catch (ABC). This process has taken place in recent years in July. Following the SSC's July meeting, the Commission and Council meet in August to consider the recommended OFL and ABC, and establish Acceptable Catch Limits (ACL) for both the commercial and recreational fisheries. The combined recreational and commercial ACLs cannot exceed the ABC. These specifications are required under National Standard 1 of the Magnuson Stevens Reauthorization Act or MSRA. Following the August meeting, Commission and Council staff monitor preliminary harvest estimates for the year as they become available. In recent years, Commission staff has strived to provide the Board with preliminary MRIP harvest estimates through wave 4 (July/August) and projections for waves 5 and 6 (September through December) at the ASMFC Annual Meeting in October or November. At the Annual Meeting, the Board considers the preliminary information relative to coastwide harvest limit and evaluate whether potential reductions are needed for the following year based on harvest performance. In recent years the Board has also initiated draft addenda to consider alternative management (such as regional management) under conservation equivalency.

The Commission and Council next meet in early December to specify management measures for the following year. During this meeting, the Board and Council must determine whether to use conservation equivalency to specify management measures or to adopt a coastwide set of measures. If the Board and Council decide to pursue conservation equivalency for the following year, the following procedure is to administered (Framework 2):

A) Late December - Commission staff summarizes the guidelines agreed upon by the Council and Board to determine conservation equivalent measures, and distributes them to the states.

B) Early January - A state must submit a proposal to the Commission staff at least two weeks prior to the Technical Committee meeting.

C) January 15 - Commission staff distributes the states' conservation equivalency proposals to the Technical Committee and the Board. Council staff submits the recreational specification package to NMFS. The package would include the overall percent reduction in landings required, coastwide measures (as a non-preferred alternative), and the recommendation to implement conservation equivalency (as the preferred alternative) and precautionary default measures.

D) Late January - The Technical Committee evaluates each state's proposal and advises the Board of the proposal's consistency with achieving the coastwide recreational harvest limit. Commission staff is responsible for compiling the Technical Committee recommendations and presenting them to the Board for determination.

E) February - The Board approves or disapproves the state proposals. If it is determined that a proposal is not consistent, then that state would be required to implement the precautionary default measures. States that do not submit proposals will be required to adopt the precautionary coastwide default measures, unless the Board gives the state a chance to recalculate management measures, following the guidelines set forth by the Council and Board. In this case, the Board's would detail the procedures by which the state can develop alternative measures.

F) March 1 (on or about) - NMFS publishes the proposed rule for recreational measures to announce the overall percent reduction in landings, the Council and Board's recommendation of state conservation equivalency (as the preferred alternative), the precautionary default measures, and coastwide measures (as the non-preferred alternative).

G) March 15 - The Board submits comments to NMFS during the comment period to inform NMFS about the approval or disapproval of the state conservation equivalency proposals.

H) April - NMFS publishes the final rule announcing the overall required reduction in landings and the state specific conservation equivalency measures and precautionary default measures, or coastwide measures.

Precautionary Default Measures

Precautionary default measures are defined as measures that would achieve at least the overall required reduction in landings for each state. They serve as worst-case scenario specifications should NOAA Fisheries determine management measures approved under conservation equivalency do not meet the requirements set forth in the MSA to constrain harvest to the coastwide RHL. The precautionary default measures for summer flounder in 2017 would be a two fish bag limit, a minimum size of 20 inches, and a 62 day season (July 1-August 31). If implemented, federal permit holders would be bound by the precautionary default measures, even while fishing in state waters. If a state does not implement a suite of measures approved by the Commission as 'conservationally equivalent,' the state would be obligated to implement the precautionary default measures.

With the recent move to use regional management under conservation equivalency through addenda, the following procedure has played out:

A) Late October/early November- the Board initiates a draft addendum at the ASMFC Annual Meeting using preliminary harvest data through wave 4.

B) November- a draft addendum for Board Review is developed in preparation for the Joint Commission/Council Meeting.

C) December- the Board considers the draft addendum for Public Comment. In recent years, the Board has approved the draft document for public comment.

D) Late December- prior to the draft addendum being released for public comment, preliminary harvest data through wave 5 is released and incorporated in the document.

E) January- the draft document is available to public for provide comment. Public hearings are held. Staff summarizes public comment ahead of ASMFC Winter Meeting.

F) Late January/early February- the Board considers final approval of the draft addendum for management. Preliminary harvest data through wave 6 is released after the Board meeting, potentially impacting projected harvest and needed reductions.

G) March/April- states notify the Commission of promulgated management measures as specified in approved addendum.

H) April/May- Commission sends NOAA Fisheries letter outlining state management measures under conservation equivalency that will achieve current year RHL. Final

harvest estimates are scheduled to be released, with the potential for changes to data used in analysis to develop measures in the approved addendum.

Challenges

In recent years, the Board has opted to depart from state by state management under conservation equivalency, and instead has operated under regional management since 2014. This approach has relied heavily on the most recently available MRIP information that is preliminary. The TC in their review of Draft Addendum XXVIII Options memo (pg.5):

'The standard methodology (Total Reduction = (**X**+**Y**) - (**X***Y**); **X** = The percentage decrease associated with seasonal closure(s). **Y**=the percentage decrease associated with size/possession limit) is problematic for a large number of reasons, many already pointed out above. Harvest estimates are highly variable from year to year, even when recreational measures have not changed. This was apparent in 2014-2016 under coastwide consistent measures. At the individual state level, when no changes were made to recreational measures, harvest estimates changed in 29 out of 30 cases (ranging from - 68% to +261%).

In attempting to manage the recreational fishery in a manner similar to the commercial fishery, assumptions about data accuracy and precision are being made that are not true. The RHL is provided as a target, based upon the stock assessment and fixed through the Council specification process. Up until this point, uncertainty in many different forms has been considered and no single data source predominates. By comparison, recreational management utilizes only preliminary MRIP harvest point estimates, sans measures of uncertainty, to attempt to predict/constrain future harvest point estimates.

It is very difficult to measure the effect that changing individual measures has on harvest estimates because it is rare that only one aspect (size, season or bag) has been manipulated, confounding the data. Increasing the size limit ought to result in less landed fish, resulting in some benefit to the stock. However, the relationship between size limit change and MRIP harvest estimate change (size change ≠ 0, combined with little or no other changes made to measures) is weak and not significant ($P>0.05$, $R^2 = 0.10$, $n=23$). Change in season length (subsetting the data for no size limit change, minimal change to bag limit, and ± at least 1 day) was also not significantly related to changes in harvest estimate ($P>0.05$, $R^2 = 0.21$, $n=17$). Reducing season should reduce harvest by limiting effort. However, the value of days added or removed to a season is highly inconstant because of the potential for recoupment and the fact that data resolution forces us to consider all days within a wave to be equal (an assumption that is most likely violated). Possession limit is perhaps the hardest measure to judge effectively. Few anglers "limit out" but the perception is that when a possession limit becomes too low, angler interest fades. Individual angler experience may not change, but the for-hire industry and fishing retail businesses may suffer. The sample size of less confounded possession limit changes is insufficient to conduct an analysis. Besides a tenuous conservation benefit, reasonably low possession limits may decrease the influence that

heavily weighted intercepts can have on harvest estimates. A multi-variate analysis of the impact changing recreational measures has had on harvest estimates would increase our ability to judge the effectiveness of the standard methodology. The technical committee's efforts are currently time-constrained but looking at single factors (above) suggest that the standard methodology has performed poorly.'

The timetable for drafting a new addendum annually, and developing management measures based in part on preliminary estimates that change is challenging. As noted in the TC's review of the Addendum XXVIII options (pg.6)

'The TC notes there is limited time annually to undertake more extensive analysis due to the timing of when data becomes available and when the Board must make management decisions. For example, preliminary harvest estimates through wave 5 did not become available until after the Joint Board and Council meeting in December 2016 (December 16th). It is expected that preliminary data and past year's performance will be evaluated to predict the current year's performance in preparation for the ASMFC Winter Meeting. The TC has only a couple of weeks to conduct analysis during which time holidays and public comment and hearings for addenda take place. Both the timetable and data limitations, as previously stated, limit the TC's ability to fully evaluate the data and provide recommendations to effectively constraint harvest to an annual changing target.'

Moving Forward

There are a range of issues the Board may wish to explore and develop, as it considers potential reforms to the management program. Chief among them:

- Initiating and concluding the specification process in a timelier manner, e.g., initiating at or around the August meeting, and concluding at or around the December meeting. This issue is confounded by not having current year harvest estimates. The issue thus hinges on how the Board opts to address the use of current year harvest estimates in the specification process.

- Development of an F-based approach as the basis for management action (in lieu of using prior-year harvest estimates to predict subsequent year harvest estimates).

- Development of multi-year -- e.g., three-year -- timeframes for management measures established through the specification process (in lieu of the annual cycle).

- Enhanced understanding of the calculus employed by MRIP to generate estimates of recreational harvest to better inform the development of recreational management measures.

- The use of state-conducted voluntary angler reporting as a supplement to MRIP, ideally linked with regions if the regional approach is continued.

- Use of conservation equivalency:

    - If state-specific:
        - Based on each state's estimated 1998 recreational landings, or on something else?
    - If regional:
        - Based on the current regional configuration, or on some other configuration?

    - Objective (1) Allocation/target-based, affording maximum flexibility to each state/region to tailor regulations to meet the needs and interests of the state/regional fisheries;

vs.

    - Objective (2) Relative consistency in management measures across neighboring states/regions, the crux being to afford all anglers throughout the range of the resource some common, baseline angling experience.
        - Are state/regional differences in management measures a hallmark, or flaw, of the management program?

    - Consideration of biological factors – e.g., resource abundance and distribution, year-classes (fish sizes) – in the development of allocations/targets/management measures.

Several other issues pertaining to the recreational management of summer flounder have already been identified via the scoping process for the Comprehensive Amendment, and are thus slated to be addressed as that phase is undertaken. Some, perhaps all, of those issues could/should be added to the above outline. However, the outline is intended to serve as a first stab at priority issues that the Board may be able to begin addressing early in 2017. Those that are actionable during 2017 could be folded into the next Addendum. Those that are not actionable during 2017 could be tee'd up for subsequent action via the Comprehensive Amendment. For those issues that could be folded into the next Addendum, the following process of review and development is offered for consideration:

1. The Board will review this white paper at its May 2017 meeting, consider any modifications to the list of issues as presented, peel off those issue that it wishes to pursue more or less immediately, and task the Board's Recreational Working Group to flesh out those issues and report back to the Board, with recommendations, at the Board's August 2017 meeting (joint with MAFMC?).

2. Based on the WG's recommendations, the Board will consider initiating a draft Addendum, for 2018, at the August meeting.

3. The Board will endeavor to finalize the Addendum by the end of the 2017 calendar year (December joint with MAFMC?)

Literature Cited

ASMFC (Atlantic States Marine Fisheries Commission). 2001. Addendum III to the Summer Flounder, Scup, Black Sea Bass Fishery Management Plan. Available at: http://www.asmfc.org/uploads/file/sfScupBSBAddendumIII.pdf

ASMFC (Atlantic States Marine Fisheries Commission). 2001. Addendum IV to the Summer Flounder, Scup, Black Sea Bass Fishery Management Plan. Available at: http://www.asmfc.org/uploads/file/sfScupBSBAddendumIV.pdf

ASMFC (Atlantic States Marine Fisheries Commission). 2004. Addendum VIII to the Summer Flounder, Scup, Black Sea Bass Fishery Management Plan. Available at: http://www.asmfc.org/uploads/file/addendumVIII.pdf

ASMFC (Atlantic States Marine Fisheries Commission). 2005. Addendum XVII to the Summer Flounder, Scup, Black Sea Bass Fishery Management Plan. Available at: http://www.asmfc.org/uploads/file/addendumXVII.pdf

ASMFC (Atlantic States Marine Fisheries Commission). 2014. Addendum XXV to the Summer Flounder, Scup, Black Sea Bass Fishery Management Plan. Available at: http://www.asmfc.org/uploads/file//53079e87SF_BSB_AddendumXXV_Feb2014.pdf

ASMFC (Atlantic States Marine Fisheries Commission). 2015. Addendum XXVI to the Summer Flounder, Scup, Black Sea Bass Fishery Management Plan. Available at: http://www.asmfc.org/uploads/file/551303e2SummerFlounderAddendumXXVI_Feb2015.pdf

ASMFC (Atlantic States Marine Fisheries Commission). 2016. Addendum XXVII to the Summer Flounder, Scup, Black Sea Bass Fishery Management Plan. Available at: http://www.asmfc.org/uploads/file/56d77016SFlounder_BSB_AddendumXXVII_Feb2016.pdf

ASMFC (Atlantic States Marine Fisheries Commission). 2017. Addendum XXVIII to the Summer Flounder, Scup, Black Sea Bass Fishery Management Plan. Available at: http://www.asmfc.org/uploads/file/58b5cf80SummerFlounderAddendumXXVIII_Feb2017.pdf

MAFMC (Mid-Atlantic Fisheries Management Council). 1993. Amendment 2 to the Summer Flounder Fishery Management Plan. Available at: http://www.mafmc.org/fisheries/fmp/sf-s-bsb

MAFMC (Mid-Atlantic Fisheries Management Council).2001. Framework 2 to the Summer Flounder, Scup, and Black Sea Bass Fishery Management Plan. Available at: http://www.mafmc.org/fisheries/fmp/sf-s-bsb

NEFSC (Northeast Fisheries Science Center). 2013. 57th Northeast Regional Stock Assessment Workshop (57th SAW) Assessment Report. U.S. Department of Commerce, Northeast Fisheries Science Center Reference Document 13-16. http://www.nefsc.noaa.gov/saw/

Terceiro M. 2016. Stock Assessment of Summer Flounder for 2016. US Dept Commer, Northeast Fish Sci Cent Ref Doc. 16-15; 117 p, Available at: http://www.nefsc.noaa.gov/publications/

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MEMORANDUM

April 28, 2017

To: **Summer Flounder, Scup, and Black Sea Bass Management Board**

From: **Summer Flounder, Scup, and Black Sea Bass Technical Committee**

RE: **Analysis on black sea bass recreational data tasks**

2016 Recreational Black Sea Bass data

In February 2017, the Summer Flounder, Scup, and Black Sea Bass Board and Mid-Atlantic Fishery Management Council approved specifications that updated the 2017 commercial quota and recreational harvest limit (RHL). In considering the updated RHL the Board and Council also decided to maintain the 2016 federal management measures for 2017 and specified that in continuing ad-hoc regional management for 2017, that Northern region states (Massachusetts through New Jersey) not increase harvest from 2016. The Board and Council motions were made after also considering the results of the 2016 Benchmark Stock Assessment and 2016 preliminary black sea bass recreational harvest data through wave 5 (September/October). Following the meeting, the Northern Region state representatives met via conference call February 23rd to consider updated preliminary harvest estimates through wave 6 (November/December) that were published on February 17th. The preliminary harvest estimates through wave 6 indicated that coastwide harvest in 2016 was approximately 5.62 million pounds, exceeding the 2016 RHL (2.82 million pounds) by 2.8 million pounds and above the updated 2017 RHL of 4.29 million pounds by 1.33 million pounds. Additionally 2016 preliminary harvest estimates in wave 6 exceeded the TC's projections (based on prior year's harvest) by approximately 960,000 pounds. To better understand the preliminary harvest estimates relative to prior TC projections as well as the updated 2017 RHL, Board members requested that an analysis be conducted by the TC to further explore the harvest data. The TC met via conference call on April 27th to review and discuss initial analyses on the assigned tasks based on available 2016 preliminary MRIP data through wave 6.

It should be noted that there are several components to how the Marine Recreational Information Program (MRIP) developed the 2016 harvest estimates that remain unclear to the TC, specifically the weighting of intercepts, harvest by mode, and how the proportional standard error is calculated. Requests have been made to MRIP staff to further explain how the harvest estimates were generated, with many of those questions remaining unanswered.

Task 1) Using the TC's recommended measure of uncertainty, what is the uncertainty buffer around the 2016 harvest estimate? How does this compare to the 2017 RHL? How does the TC recommend incorporating the uncertainty of the harvest estimate into determining the harvest reduction needed to not exceed the 2017 RHL?

The TC sought to quantify the uncertainty of the harvest estimates in recent years and determine how harvest may decline in coming years based the projected 15% decline in the spawning stock biomass (SSB) per the 2016 assessment results. That work is outlined in figure 1 (see below). A 95% confidence interval was calculated for the harvest to show a proxy level of variability in the harvest estimates, with scenarios of possible declines of 5% and 10% in recreational harvest. These two scenarios were chosen as being more likely possibilities given the group's agreement that declines in harvest will not track 1:1 with SSB declines.

While this was a helpful visualization, the group did not have clear path forward in evaluating the uncertainty in the harvest point estimate. The group was in agreement that a more quantitative approach that incorporates the 2016 stock assessment would be more helpful to evaluate the likelihood of harvest declining in future years based on SSB projections from the assessment. The group expressed interest in further evaluating the strength of the 2011 year class in driving recent harvest rates and how harvest rates may fall as that cohort leaves the fishery. This exploration could possibly be pursued with the 2016 Assessment lead analyst Dr. Gary Shepherd, but it should be noted that specific guidance would be needed from the Board as well as time to complete the work. The group was in agreement that this line of work-specifically linking the assessment results including spatial attributes of the resource, relative year class strength, and fishing mortality rate-into recreational management would be an improvement on the current approaches using ad-hoc regional management and the standard methodology for calculating reductions/liberalizations from size limit, possession limit, and season length.

Focusing just on the MRIP data, the group also discussed the possibility of evaluating the 2016 estimate differently than in previous years. This modified harvest estimate would incorporate other information such as previous years' performance and uncertainties around harvest estimates and different ways of calculating averages given the anomalously high harvest estimate generated in 2016 relative to other more recent years' harvest estimates. To operationalize this concept, the group discussed the possibility of using multiple years to average catch and harvest information by mode and wave. This may be useful to help with trying to buffer against uncertainty moving forward and not take restrictions or over-liberalize based on noise in the data.

The TC also revisited some of arguments made in favor of status quo management measures for 2017 leading up to the February 2017 Joint ASMFC/MAFMC Meeting in Kitty Hawk, North Carolina. As noted before, following that meeting preliminary harvest estimates through wave 6 indicated a much higher harvest level in 2016 than previously projected- the updated reduction is closer to 23%, higher than the previous 8% reduction based on harvest through wave 5. In light of this, the group believes its recommendation of status quo management measures needs to be reanalyzed given the significant increase in harvest relative to what was calculated when the initial recommendation was made. Additionally, the uncertainty around the harvest those original measures would achieve the 2017 has not been re-evaluated. Task #1 does not specifically request a recommendation on 2017 management measures, so the group did not have a specific revised recommendation on 2017 measures. The group maintains the need to consider MRIP harvest estimates as a statistic, one that has variance around the

estimate. The group was committed to using some guidance from MRIP staff provided to NY staff during a call held the week of April 15 2017 to better adjust the extremely high 2016 wave 6 preliminary estimate if the Board wishes. Two analyses could be conducted including a standard averaging calculation and a Bayesian estimation of the wave 6 data.

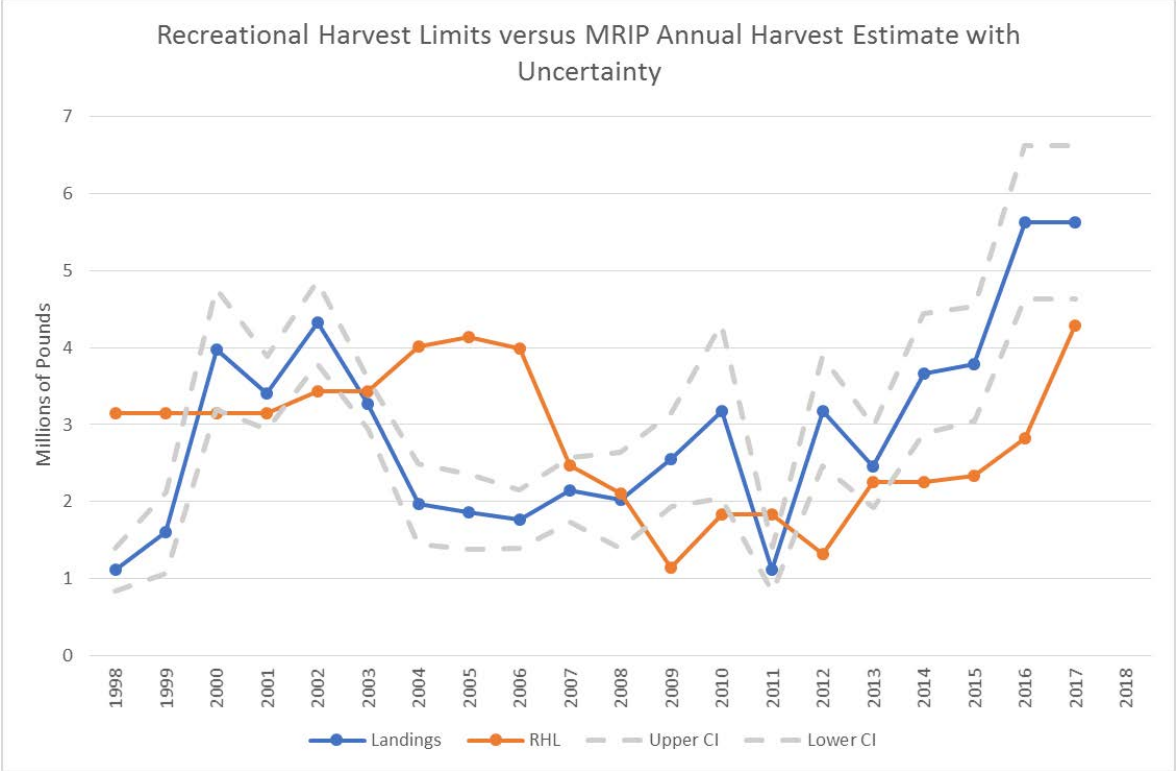


Figure 1 – Recreational black sea bass landings for the North and Mid Atlantic with 95% confidence bounds versus the recreational harvest limit through time.

Task 2) By state, identify 2016 wave/mode harvest estimates that are significantly higher than prior years. Describe the MRIP intercept data used to generate the 2016 and prior year harvest estimates and compare their associated PSEs. Were there any changes that could help explain a harvest increase in 2016, such as changes to regulations or MRIP sampling methods? Is there reason to believe these harvest estimates will change from MRIP preliminary to final status (such as due to low sample size or incorporation of VTR effort data)?

In 2016, most of the coastwide overage (A+B1; numbers of fish) came from New York harvest, landing almost 2.5 million pounds of black sea bass, which is 62% higher than 2015 and 138% higher than the 2013-2015 average. Massachusetts and Connecticut both landed just under 1 million pounds, and for Connecticut, that was an increase of about 500,000 more pounds as compared to 2015. In addition, Rhode Island's harvest has been steadily increasing since 2013, with an annual increase of about 100,000 pounds. Visual representation of the data is available in Appendix A.

Based on the data and considering 2016 management measures, it seems the 10 fish bag limit in wave 6 for NY was important, as multiple intercepts with landings of 8 fish or more per angler are present in the data. The intercept weights (or catch expansion factors) for some of these intercepts are extremely high, over 4,000. It is not clear how intercept weights are calculated by MRIP, but a few intercepts can have a disproportionately large influence on a harvest estimate. As an example, one intercept of a single angler with 10 landed black sea bass is "weighted" by 5,588.3, so the expanded harvest of that intercept is 55,883 A+B1 black sea bass (10 x 5,588.3). A single intercept (out of 56 intercepts with black sea bass landings) is responsible for 15% of the landings in NY's Wave 6.

After reviewing the intercept data, there haven't been any substantial changes in sampling (i.e., number of intercepts by state, wave, and fishing mode) or fishing effort, but it appears that catches during later waves (specifically waves 5 and 6) have increased from previous years. One thing that is unclear is how to quantify intercept refusal; this could be important in the number of intercepts that recorded catch. The New York TC member mentioned a change in contractor (i.e. state staff conducting the dockside intercepts starting in 2016) that could have some influence on interview success. In further seeking to understand the wave 6 data, New York staff were briefed by MRIP staff on harvest estimates from the state of New York in 2016. Based on their feedback, there is no indication that harvest estimates will change from preliminary data to final data, however, the TC still believes there is an unaccounted for bias in the MRIP data due to the state takeover of the APAIS program, and the evidence that high refusal rate areas are now providing interviews due to state outreach efforts with the fishing community and more comfort with state samplers versus the previous contract samplers.

As an example, the group discussed that while there hasn't been significant changes in sampling, inconsistencies in where positive interviews are being generated from may be part of the issue for 2016. Regulations were fairly consistent in New York during wave 6 in 2014, 2015 and 2016, though harvest for not just black sea bass, but Atlantic cod, tautog, and scup were all significantly higher (or highest in the last 10 years) based on preliminary wave 6 data. An increase in the number of intercepts for Montauk increased significantly in 2016 relative to 2015 and 2014. Further understanding of why intercepts may have been inconsistently sampled needs further investigation and will require the TC members to further evaluate harvest by wave and mode. This work was not done for most states ahead of the call.

In trying to understand the associated Proportional Standard Error (PSEs) with harvest by mode, the group maintains there are still alot of unknowns. Generally, the understanding is that as harvest data is parsed down to specific areas or to specific fishing modes and times of year, the amount of available intercepts decreases, likely increasing the proportional standard error of the estimate. But how that error is calculated amongst all of the collected data fields is unclear and the general rule of increased parsing of the data leading to higher PSEs does not hold in all cases (i.e. abnormally high 2015 NY bluefish harvest estimates in wave 3 had a low PSE).

Lastly, in seeking to evaluate 2016 harvest relative to the 2016 recreational management measures, some members of the group noted that changes to MRIP methodology over time- which have been uneven in scope year to year- complicates the group's ability to discern what is 'true' harvest year to year vs changes in the methodology that are influencing harvest. For NY, it should be noted that harvest decreased in 2016 wave 4 (July/August) relative to previous years; that being said wave 5 increased and wave 6 increased significantly. What is clear is the minimum size limit increase many states implemented

in 2016 had little to no effect in reducing harvest across northern region states, and specific to NY, there were changes in high harvest between 2014 to 2015 and 2015 to 2016 relative to party/charter and private angler modes. The group also noted the need to keep in mind that while the specified RHL for 2018 will be lower than 2017, there is an understanding MRIP harvest estimates will be changing in the near future with the calibration changes due to adjustment from telephone to mail survey. Future estimates will very likely be higher than current estimates, and well as revision of historical harvest estimates, which will further complicate the group's work in using the data to set management measures. There is an abundance of conflation in unaccounted for bias, methodology changes, and uncertainty at this point, and the TC feels the ability to proceed with normal specification setting within this environment of yearly MRIP improvement rollouts, calibrations, and revisions is compromising any ability to do prospective harvest analyses. A new procedure is needed moving forward, such as a more formal quantification of management uncertainty through something such as an MSE, but it will be difficult to implement any new procedure until the underlying data settles down to a more consistent structure.

Task 3) Would closing Wave 6 (all or part) in the Northern Region (or just MA-NY, or just NY) reduce 2017 projected harvest so that the 2017 RHL is within the harvest estimate's uncertainty buffer? What bag limit for Wave 6 in the Northern Region (or just MA-NY, or just NY) would reduce 2017 projected harvest so that the 2017 RHL is within the harvest estimate's uncertainty buffer?

Using the North and Mid-Atlantic query from the MRIP website for BSB harvest, the PSE is 8.3 for the coastwide harvest estimate. This does not include NC (North of Cape Hatteras).

Considering the boundaries of the confidence intervals, the 2016 point estimate is 2,734,141 fish and -1SE (~68% CI) below that point estimate occurs at 2,507,207 fish and -2SE (~95% CI) occurs at 2,280,273 fish. The purpose of Task #3 is to identify the percent difference between the lower bounds of the 2016 point estimate and the 2017 RHL, and if some management changes impacting Wave 6 in MA-NJ, MA-NY or NY alone will be sufficient to account for any needed reduction.

The difference between the 2017 RHL in fish (2,084,473) and these lower bounds are 16.9% at 1SE and 8.6% at 2SE.

The reduction calculated for the total loss of all wave 6 fishing in MA-NJ is 18.1%, MA-NY is 14.3% and NY alone is 13.5%. The reduction associated with the loss of Wave 6 in MA-NJ is sufficient to reach the lower bound 1SE away from the point estimate but Wave 6 changes in MA-NY or NY alone are not (further restrictions would be required). All 3 are sufficient to reach the lower bound 2SE away (entire loss of Wave 6 isn't necessary). Additional work could be done once the appropriate confidence interval is identified and final harvest estimates are made available.

The NY TC member further looked at wave 5 harvest relative to wave 6 in recent years, to determine a proxy ratio to compare harvest over time; in theory, to get at an 'alternative' harvest estimate is for wave 6. Preliminary analysis was completed but not ready for the Board's consideration at this point.

4) Consider that the New York Wave 6 numbers at first appear unrealistic. Over the prior six years (2010–2015) New York's recreational harvest in wave 6 averaged about 26,000 pounds. Yet, 2016 Wave 6 has New York at over 887,000 pounds. Was New York actually responsible for about 88% of the 2016 RHL harvest?! Did New York's Wave 6 effort significantly increase in 2016 as compared to previous years?

On February 24th, John Maniscalco wrote Tom Sminkey the following email requesting more information/investigation into preliminary wave 6 New York Harvest (A+B1) data:

"…In 2015 NY harvested 15,822 fish (90% HB) in Wv 6, in 2016 367,806 fish (78% PRR). Regulations differed in that the size limit increased by 1" for 2016. The 2011 year class probably grew into that size limit for no realized reduction, but numbers of fish available to the fishery should not have increased by an order of magnitude.

Harvest by FH mode increased by 6x. By PRR mode 187x. Intercepts for the FH mode doubled, and for PRR mode 5x. Number of fish intercepted 4x by FH, and 17x by PRR. Fish per intercept doubled by the FH mode and over triple by the PRR mode. Avg. intercept weight (the expansion factor, wp_catch) per fish 3.5x in FH mode, and 11x in PRR mode.

In 2016 Wv 6, Montauk accounted for 92.5% of BSB A+B1 fish with 44 intercepts (of 56). In 2014 there was 1 BSB intercept from Montauk, and none in 2015.

In 2016 Montauk was successfully sampled for BSB on 9 separate days across 3 locations for PRR, 4 days across 2 locations for CB, 1 day at 1 location for HB (and an additional day of HB sampling at Point Lookout also yielded BSB in 2016).

19 days of assignments in Montauk in Nov 2016.

17 days of assignments in Montauk in Dec 2016.

How does assignment frequency in Montauk differ between 2016 and 2015 and 2014 for Wave 6?

Were other species successfully sampled in Montauk but not BSB in prior years? Coincidentally, tautog harvest in 2016 Wv 6 was also very high with Montauk PRR figuring prominently.

How does the number of successful intercepts differ?

How does the number of interviews not granted differ?

How does the CHTS results differ btw each year for Wave 6?

NY now has two motivated, personable individuals sampling in Montauk. Their efforts have resulted in what appears to be substantially more intercepts. At the same time PRR intercept weights have increased by an order of magnitude. Is this due to greater diligence in recording the number of interviews not granted/missed or due to CHTS results or both? How does each factor contribute to the whole? My APAIS staff have stated that they did not change site pressures appreciably for 2016, wanting to run through the year and gather their own data. Changes are occurring for 2017.

What do we know of the previous field sampler(s) completing assignments in Montauk in Wave 6? What performance metrics could be reviewed and compared?

The recreational management system currently in place treats harvest estimates generated by MRIP as one continuous uninterrupted time series. This Wave 6 estimate poses significant issues for NY and other states along the coast. We need to understand what factors cause this degree of volatility. I am not arguing which

estimate is more “right”, I am interested in the underlying cause for the substantial differences in magnitude, location of origin, and mode of fishing. Are such problems occurring in other states and/or other species?

While I know that these intercepts were previously reviewed, I would appreciate some additional consideration spent on the issues/questions pointed out above. This may also be a good time to revisit setting up a meeting between MRIP staff and some of its state partners (NY, others?). John Foster has (very helpfully) previously discussed MRIP methodology with members of the SFL, BSB and Scup TC/MC. I feel as I f I have a solid grasp on catch sampling but effort estimation and its incorporation into wp_catch and wp_int remains a bit of a black box. …”

As noted earlier, NY staff was briefed by MRIP staff on wave 6 harvest estimates for New York in recent weeks, due to the significantly higher harvest estimate than projected. MRIP staff noted that wave 6 was a lower fishing effort wave- less anglers and party charter vessels targeting black sea bass- relative to earlier waves in 2016 (such as waves 4 and 5) and that the lower fishing effort can influence variability in harvest estimates derived from intercept data (similarly applies to wave 1 and 2). MRIP staff communicated that a ‘smoothing’ approach of data from years using Bayesian statistics may help in further considering harvest for setting 2017 management measures. The full report from MRIP staff to on NY’s wave 6 black sea bass harvest was not publicly available and not able to be shared with the group for this call. The group was interested in pursuing the Bayesian analysis at the advice of MRIP staff as a way to potentially dampen this variability out of this wave. The TC thought they could do one analysis based solely on NY, and one looking along the entire northern region as two appropriate scopes for the suggested alternative analysis.

Appendix A.

MRIP intercept summary for BSB from 2013-2016

April 12, 2017

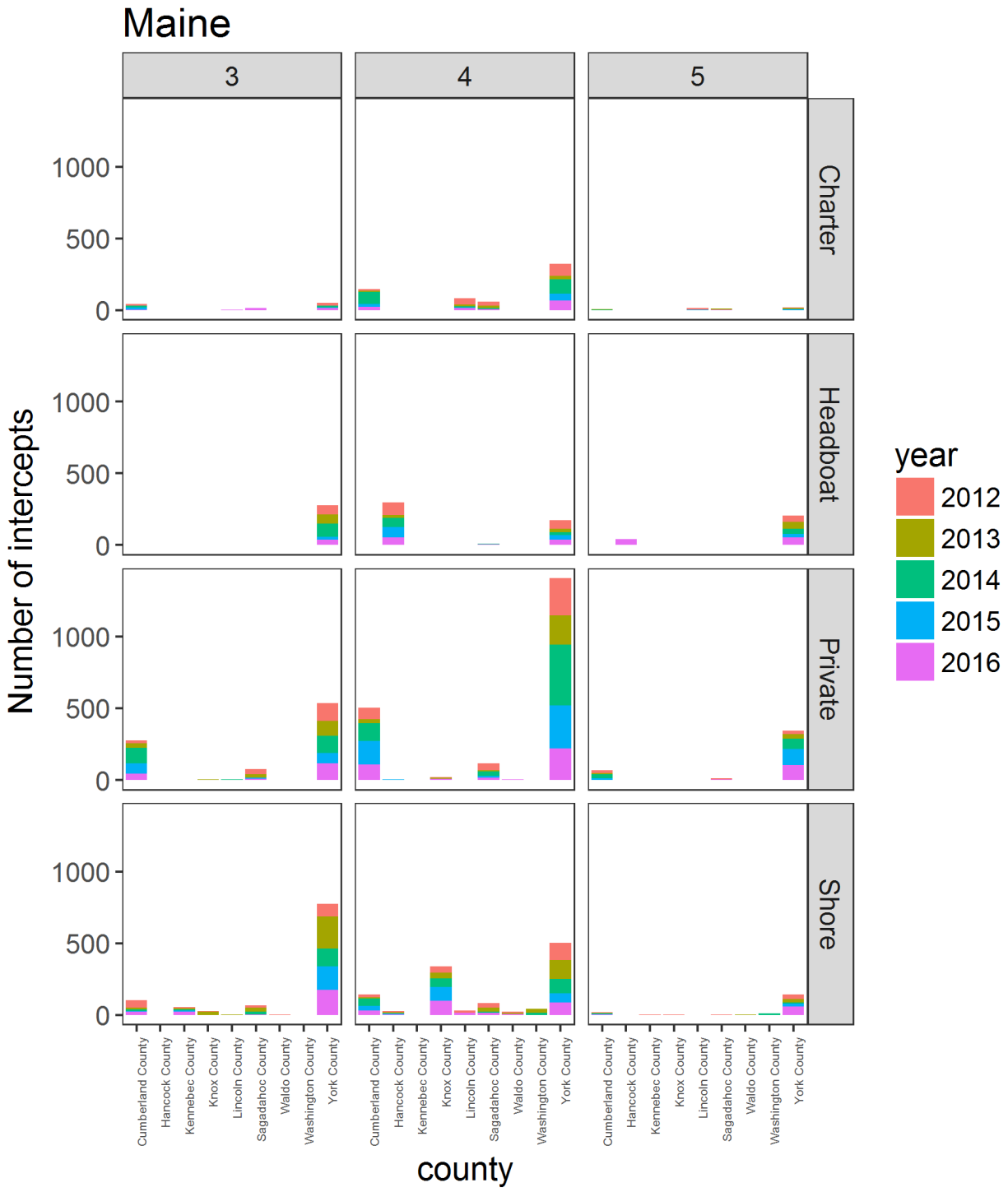
The total number of intercepts is pulled from the MRIP data, using id_code as the unique identifier. These intercepts may not have had any catch.

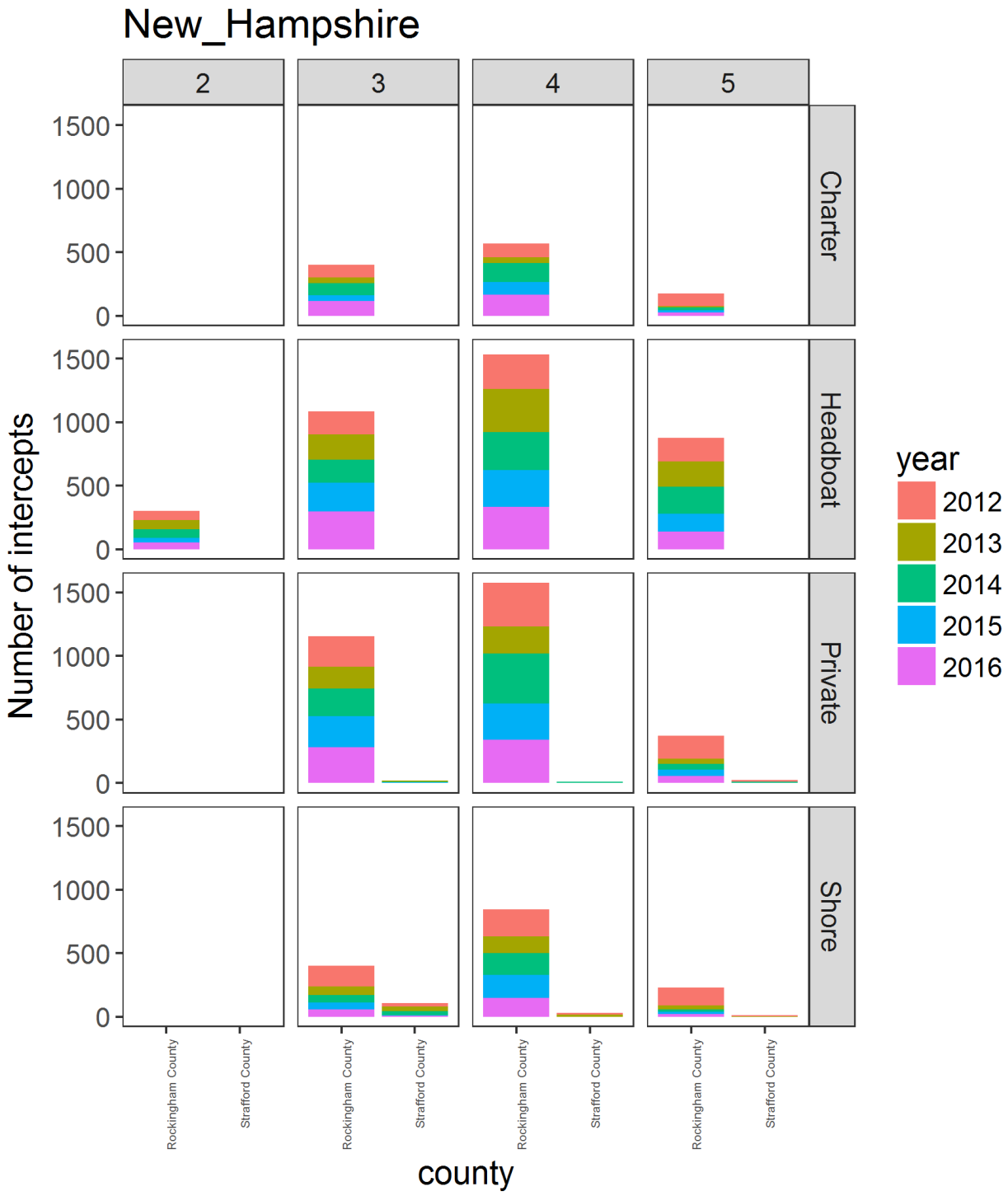
Table 1: Summary of total number of intercepts by year, state, and fishing mode.

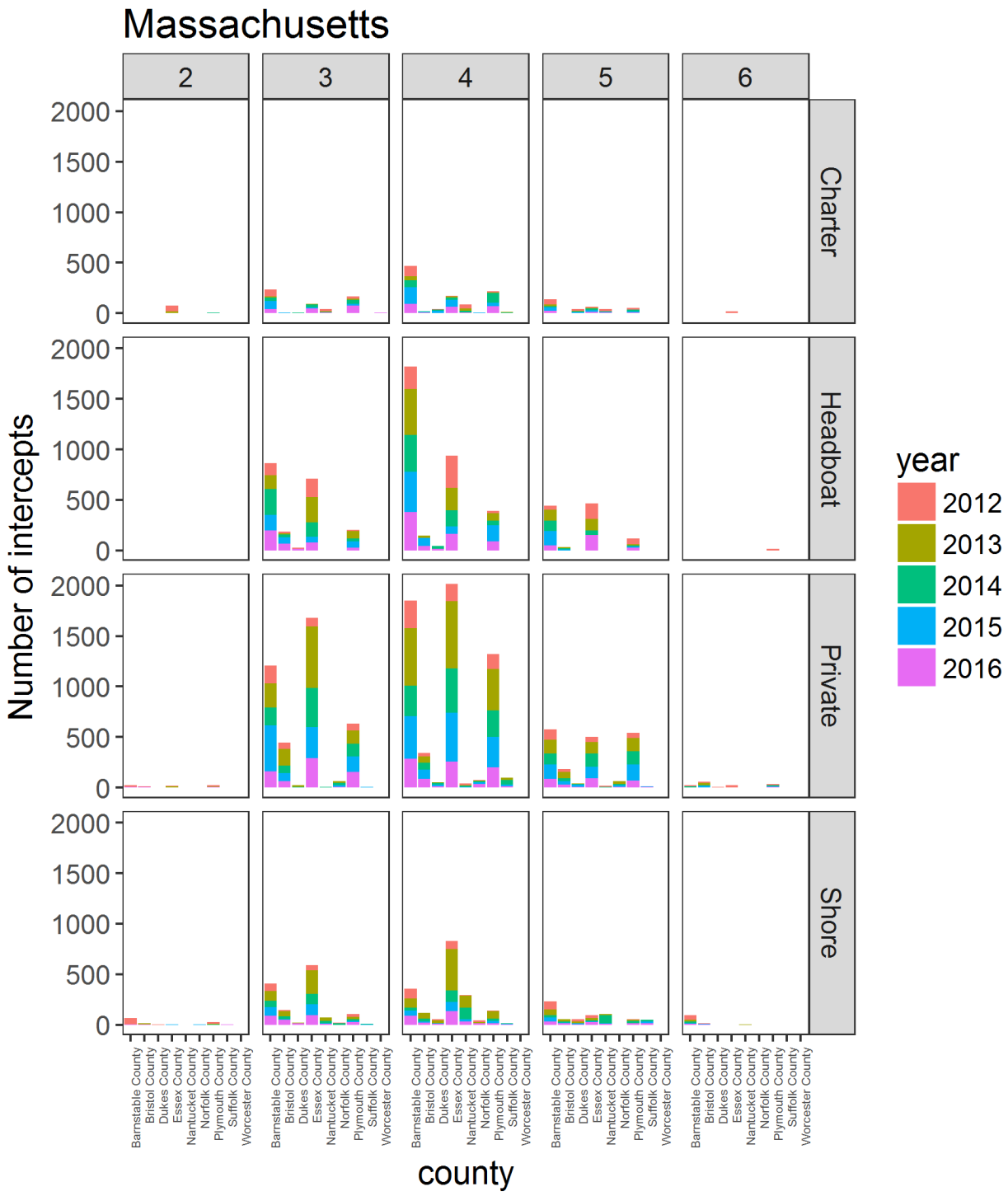
		State									
Mode_fx	**Year**	ME	NH	MA	RI	CT	NY	NJ	DE	MD	VA
Charter	2012	222	315	493	237	270	517	341	629	320	271
Charter	2013	86	106	173	100	48	177	55	155	106	87
Charter	2014	227	270	396	695	62	84	189	130	263	71
Charter	2015	106	166	504	458	31	74	109	169	231	95
Charter	2016	150	307	489	422	126	284	137	219	637	177
Headboat	2012	264	717	1172	236	272	511	905	607	588	460
Headboat	2013	162	815	1490	539	357	1187	1353	515	509	801
Headboat	2014	227	766	1227	663	221	954	1292	595	753	599
Headboat	2015	147	702	1224	691	257	1068	1083	834	647	636
Headboat	2016	235	825	1297	787	773	1308	1144	641	1143	943
Private	2012	627	778	1407	737	812	1560	1435	1278	1128	1803
Private	2013	457	443	3438	654	833	1218	1319	2411	1390	2169
Private	2014	906	674	2417	550	1190	1212	2621	1932	1652	2185
Private	2015	748	586	2888	708	1166	1841	2775	2422	1371	2393
Private	2016	639	681	1888	554	2106	1762	1878	1407	2034	2243
Shore	2012	462	570	661	823	385	698	775	746	495	470
Shore	2013	582	285	1421	640	210	790	899	2156	855	778
Shore	2014	417	280	748	604	340	606	1136	1694	552	590
Shore	2015	405	258	541	573	330	783	1277	1508	509	563
Shore	2016	533	239	739	389	508	737	978	1083	847	766

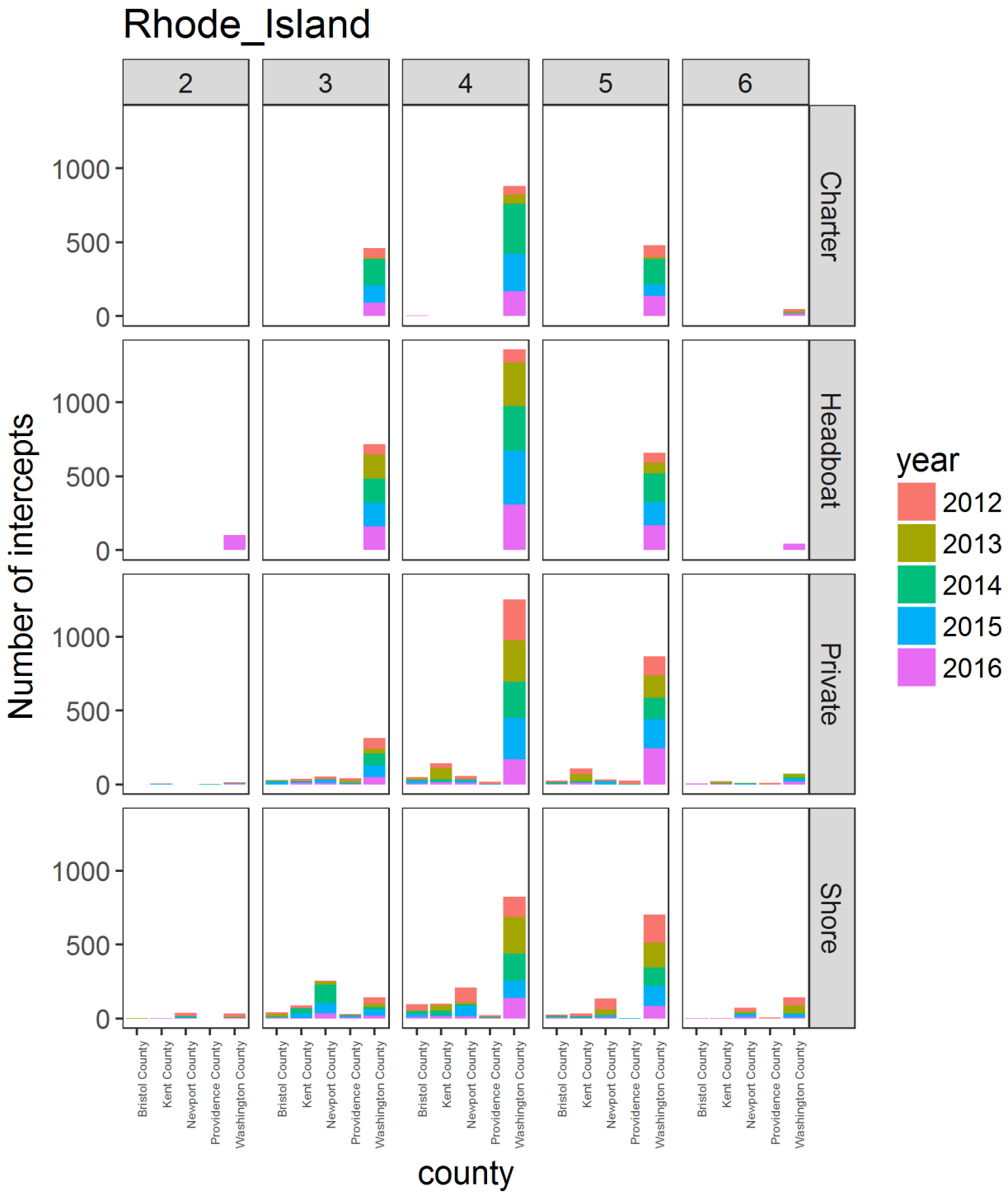
All intercepts 2012-2016

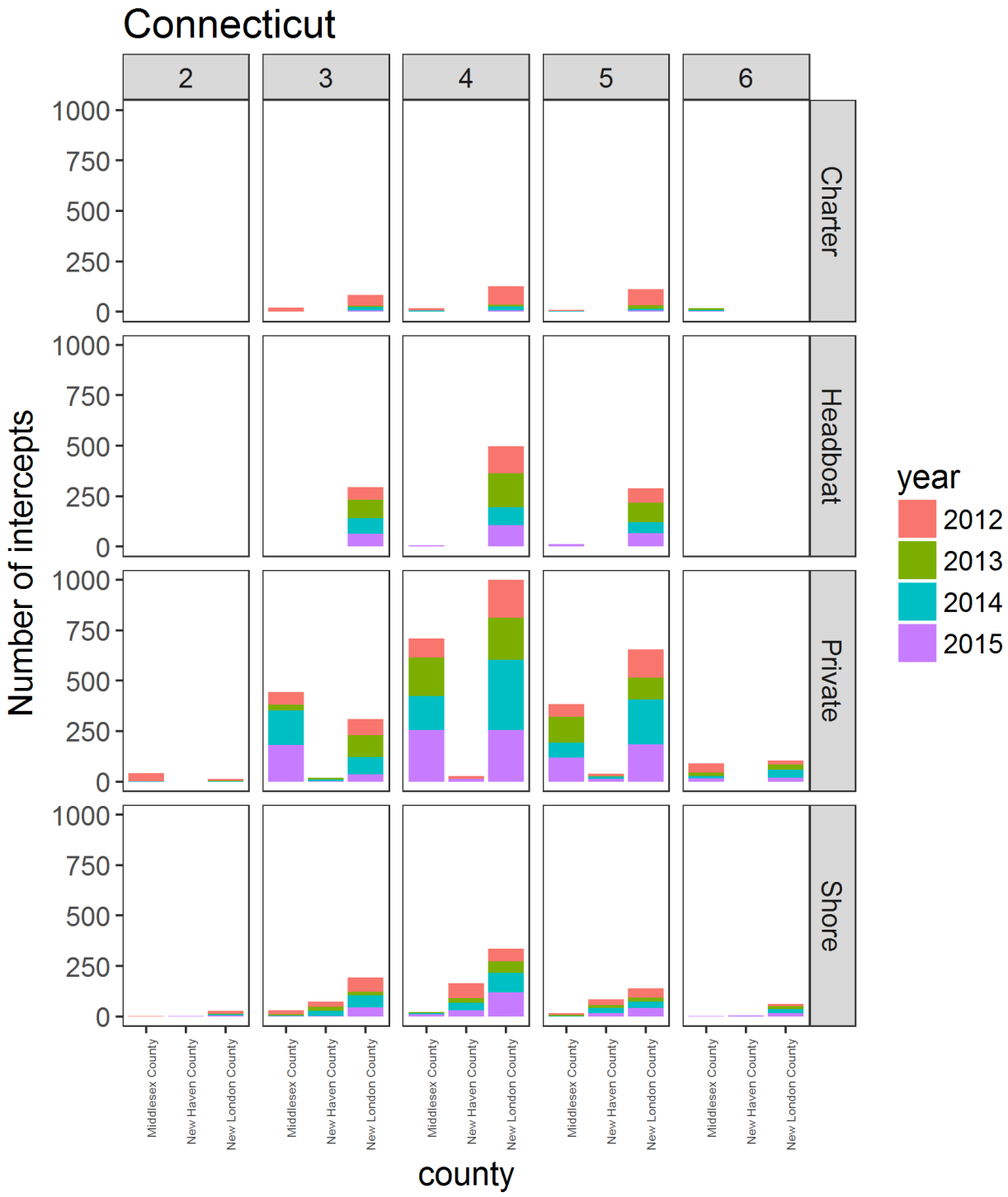
Visual summary of MRIP intercepts by year, state, county, wave, and mode (charter, headboat, private, shore). These are data exclusively from the trip .csv files and are irrespective of target, harvested or discarded species; simply the total number of intercepts.

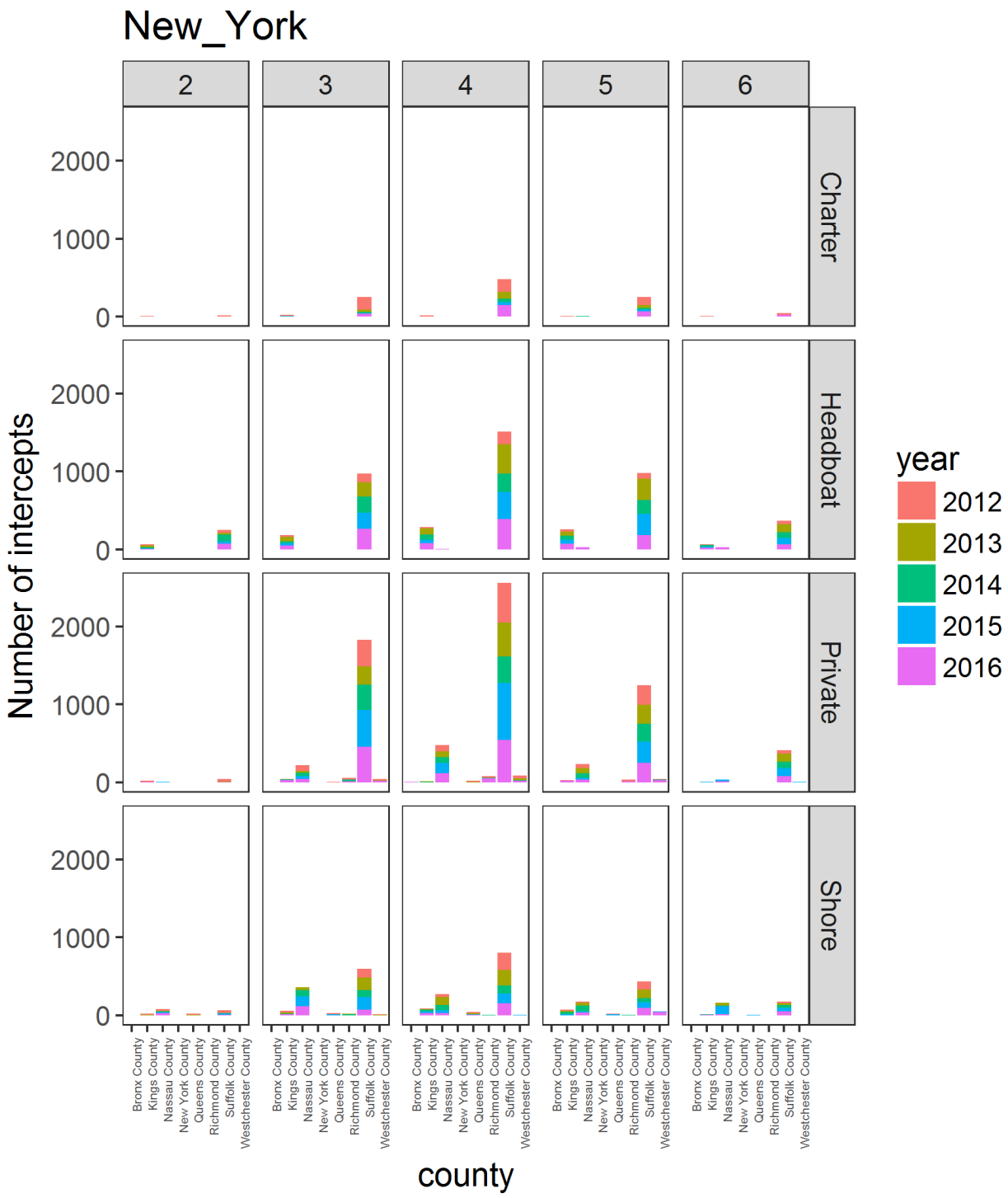


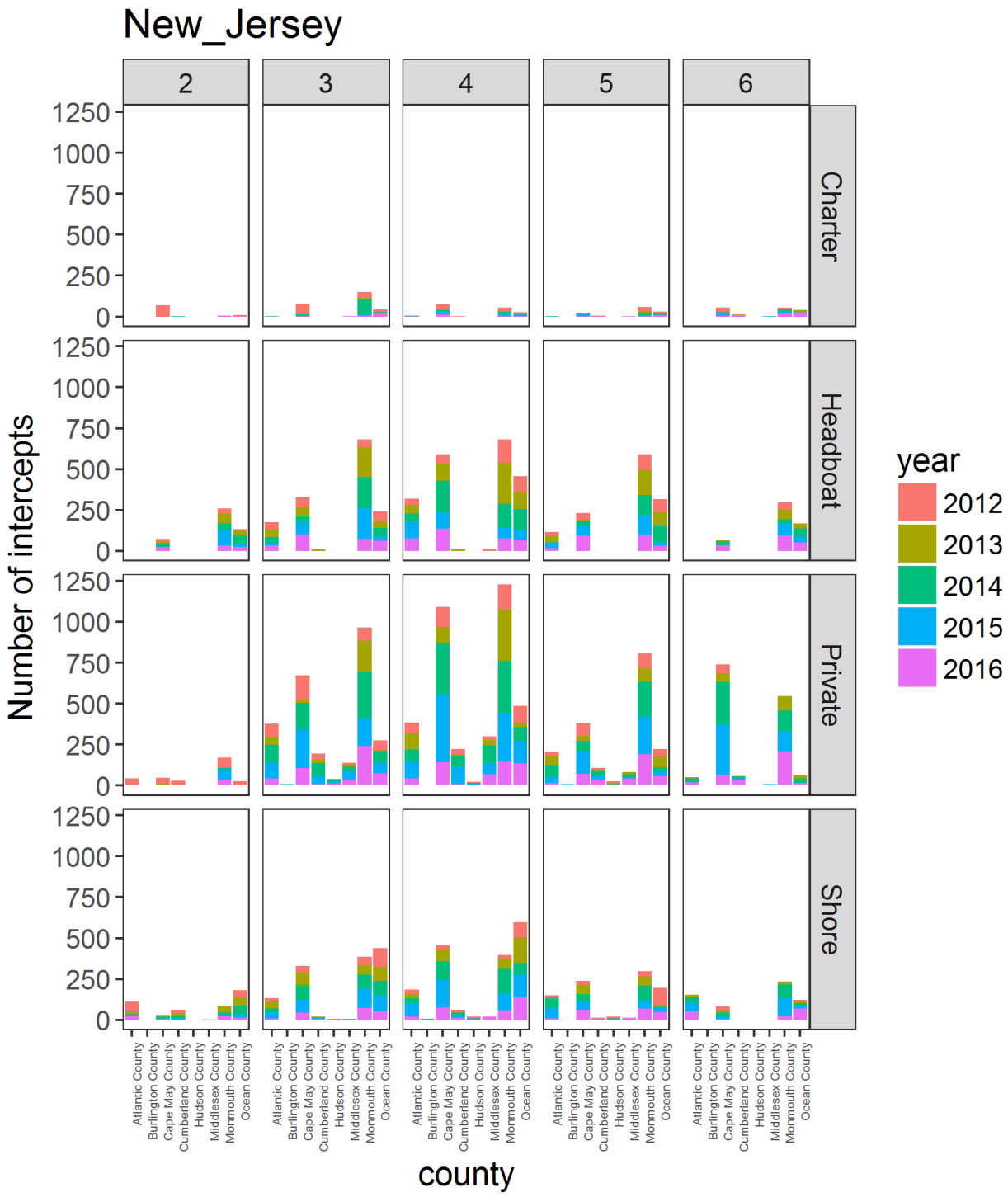

New_Hampshire
2
3
4
5
Charter
Headboat
Private
Shore
Number of intercepts
1500
1000
500
0
Rockingham County
Strafford County
county
year
2012
2013
2014
2015
2016

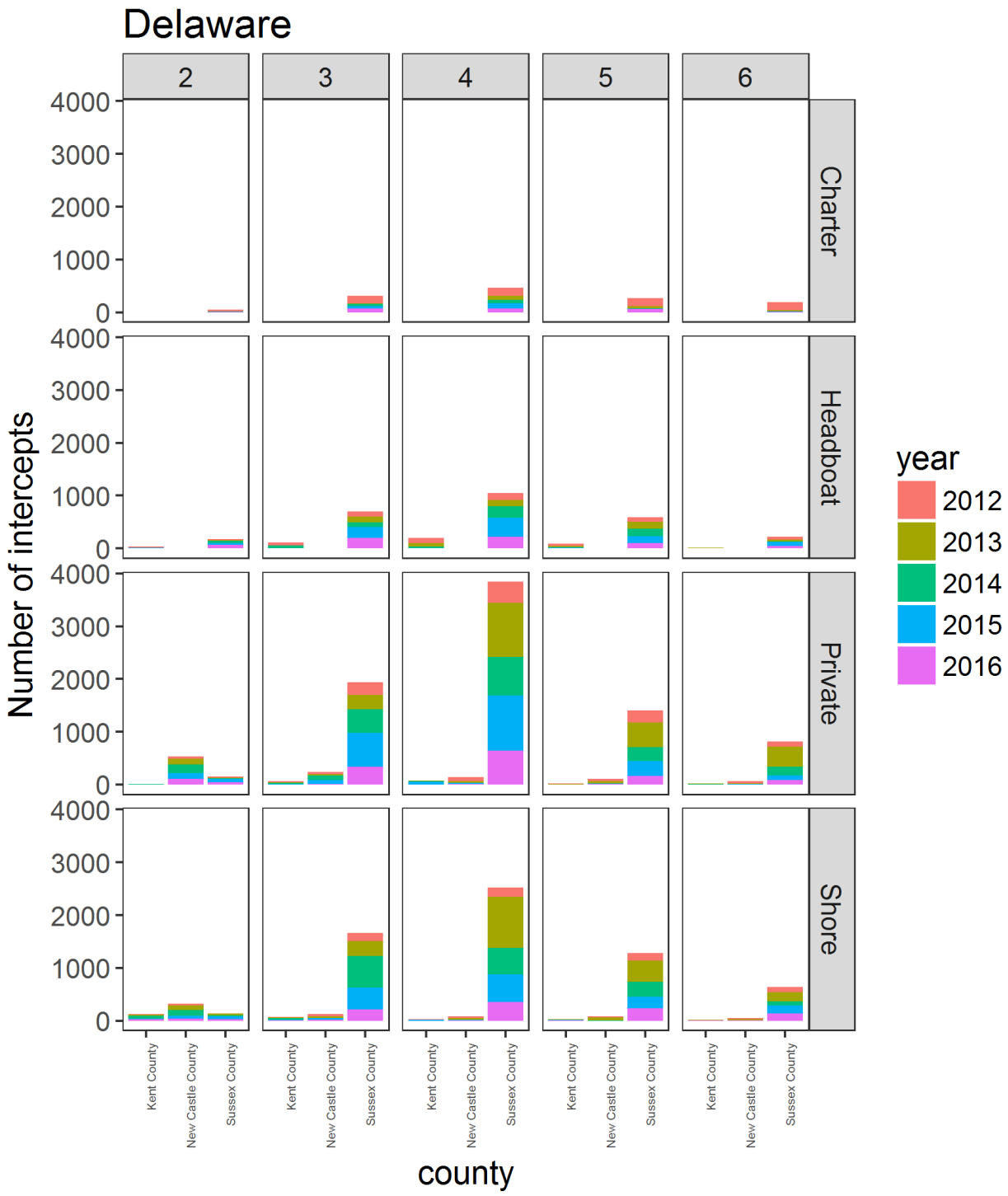

Massachusetts
2
3
4
5
6
Charter
Headboat
Private
Shore
Number of intercepts
2000
1500
1000
500
0
year
2012
2013
2014
2015
2016
Barnstable County
Bristol County
Dukes County
Essex County
Nantucket County
Norfolk County
Plymouth County
Suffolk County
Worcester County
county

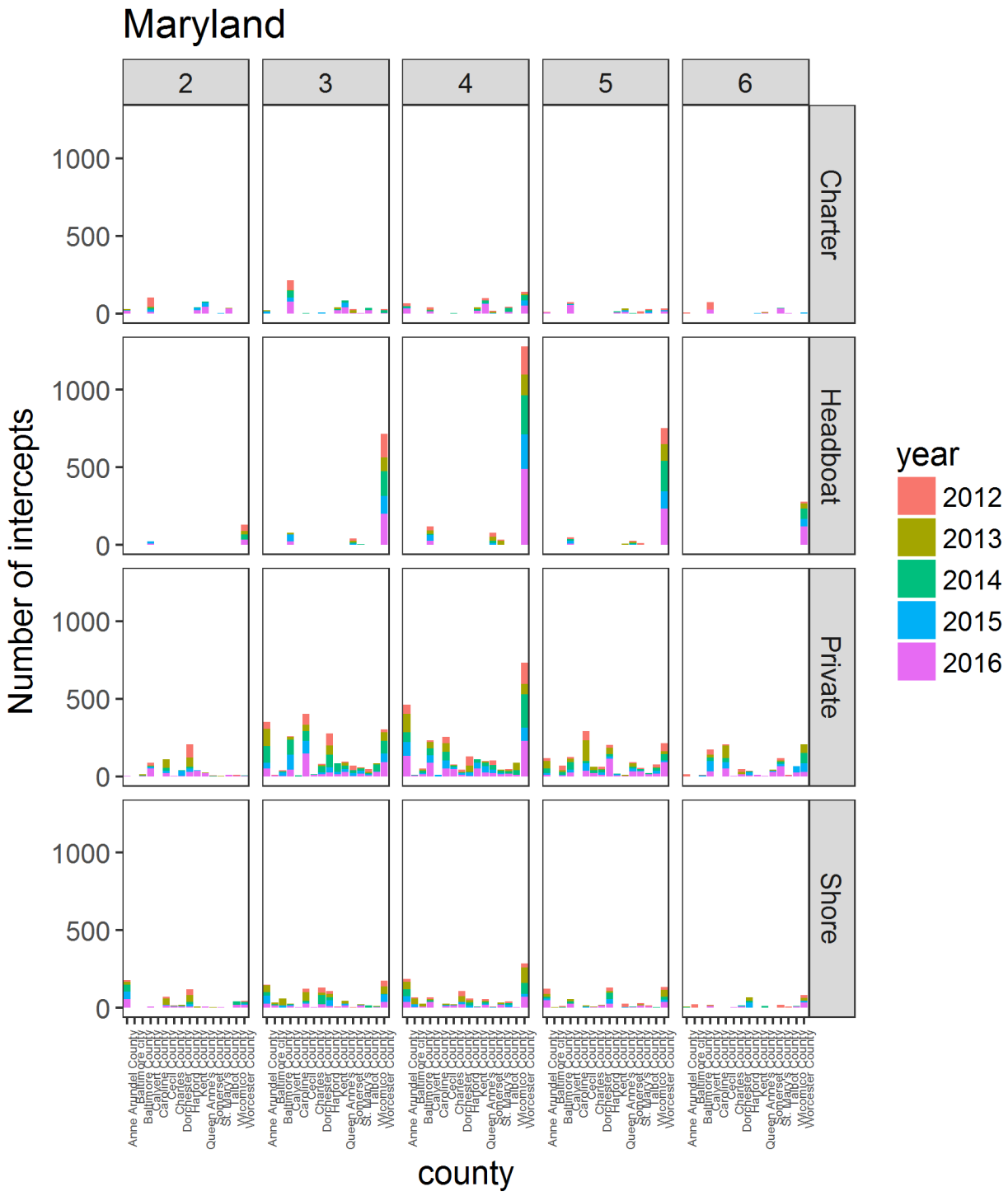

Rhode_Island
2
3
4
5
6
Charter
Headboat
Private
Shore
1000
500
0
Number of intercepts
Bristol County
Kent County
Newport County
Providence County
Washington County
county
year
2012
2013
2014
2015
2016

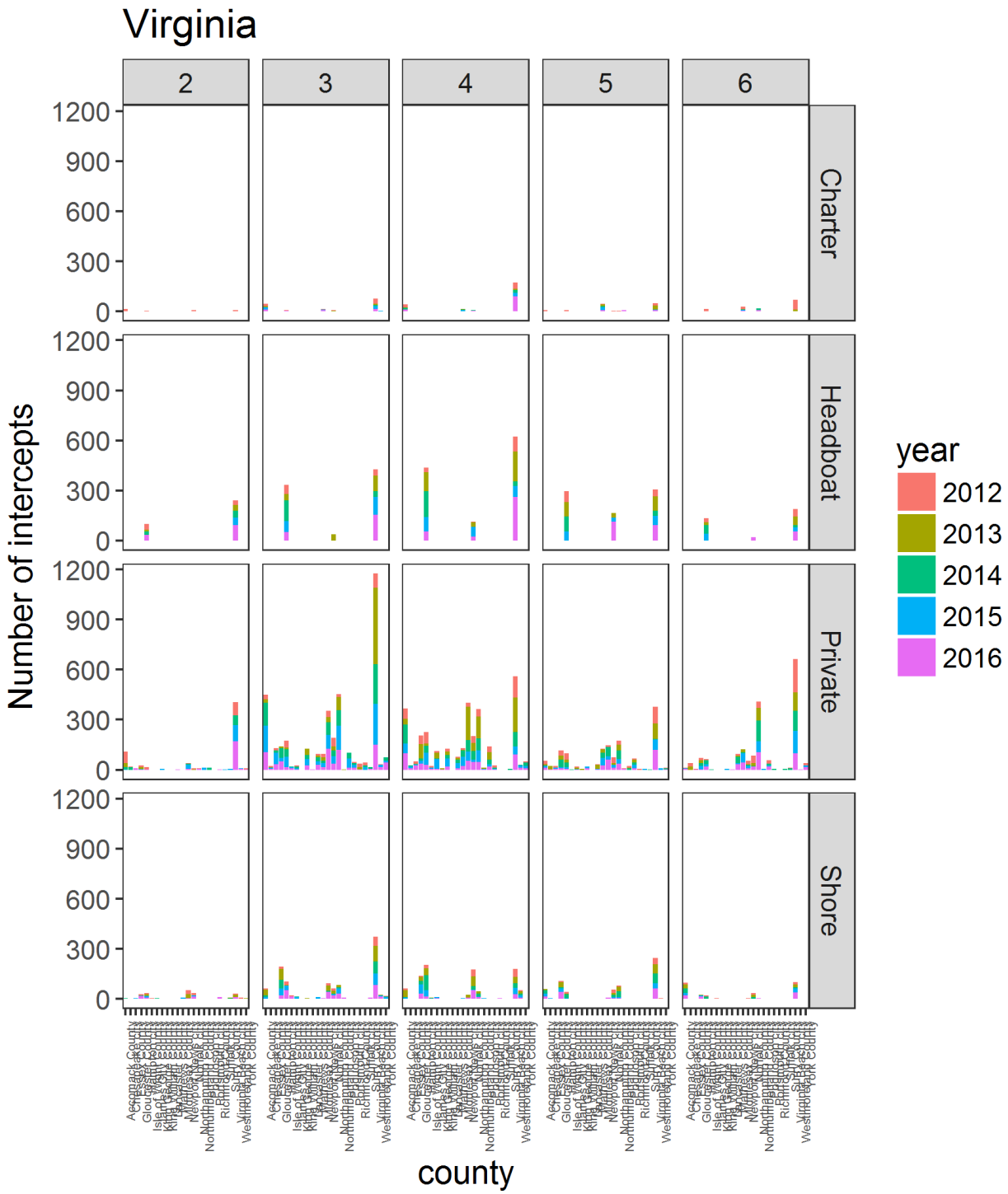

Connecticut
2
3
4
5
6
Charter
Headboat
Private
Shore
Number of intercepts
0
250
500
750
1000
Middlesex County
New Haven County
New London County
county
year
2012
2013
2014
2015


New_York
2
3
4
5
6
Charter
Headboat
Private
Shore
Number of intercepts
2000
1000
0
Bronx County
Kings County
Nassau County
New York County
Queens County
Richmond County
Suffolk County
Westchester County
county
year
2012
2013
2014
2015
2016


New_Jersey
2
3
4
5
6
Charter
Headboat
Private
Shore
Number of intercepts
0
250
500
750
1000
1250
county
Atlantic County
Burlington County
Cape May County
Cumberland County
Hudson County
Middlesex County
Monmouth County
Ocean County
year
2012
2013
2014
2015
2016

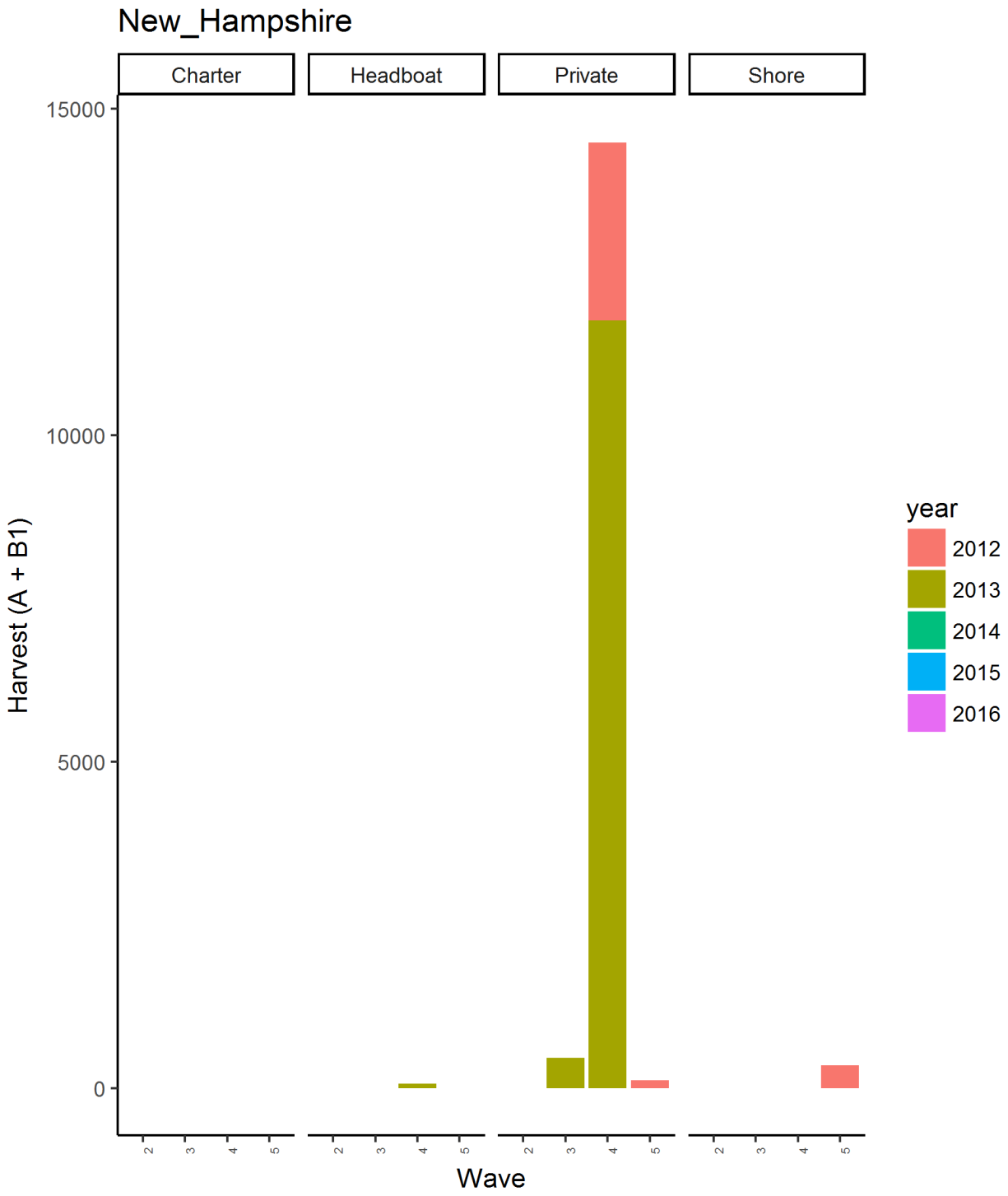

Delaware
2
3
4
5
6
Charter
Headboat
Private
Shore
Number of intercepts
0
1000
2000
3000
4000
Kent County
New Castle County
Sussex County
county
year
2012
2013
2014
2015
2016

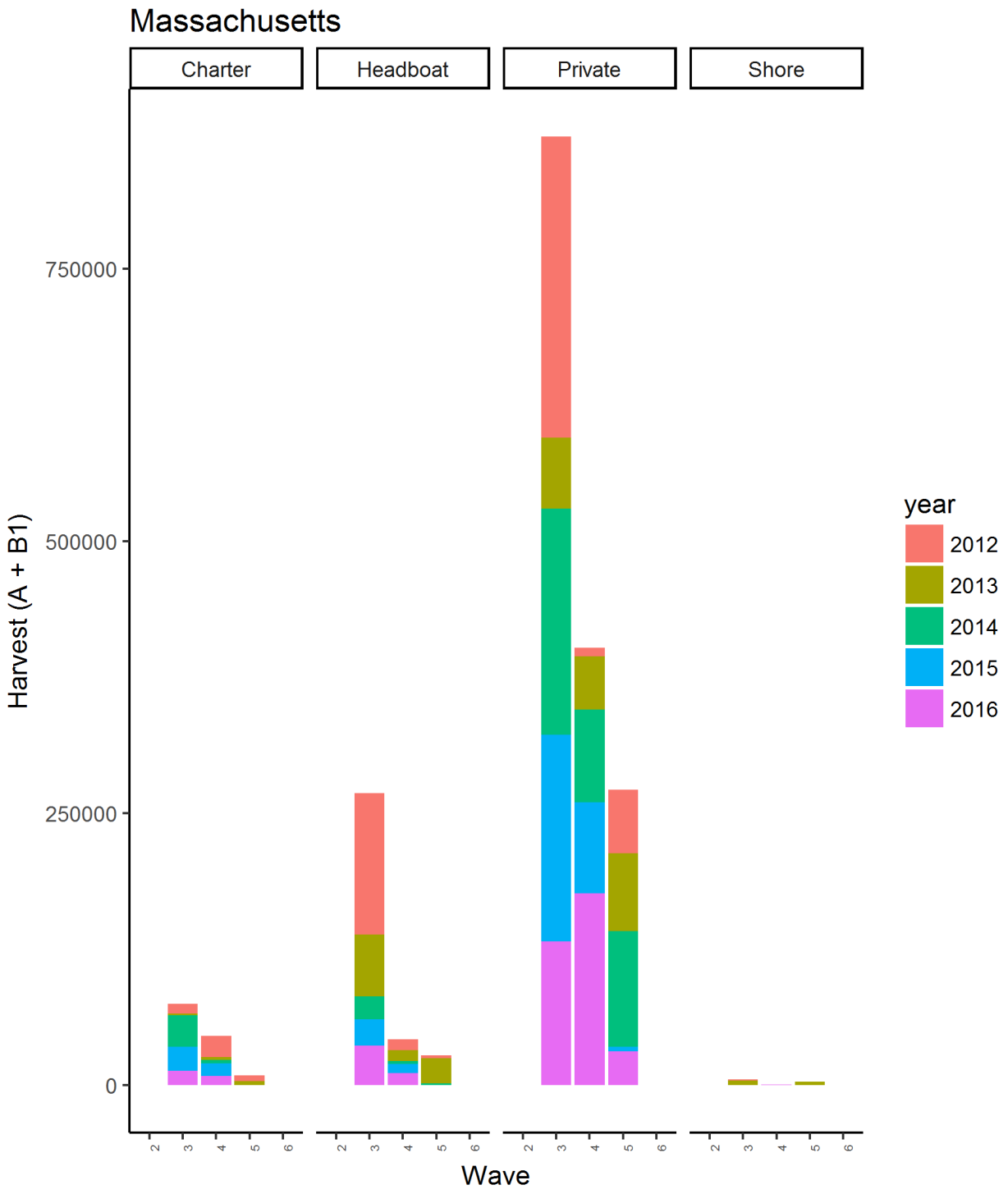

Maryland
2
3
4
5
6
Charter
Headboat
Private
Shore
Number of intercepts
1000
500
0
county
year
2012
2013
2014
2015
2016

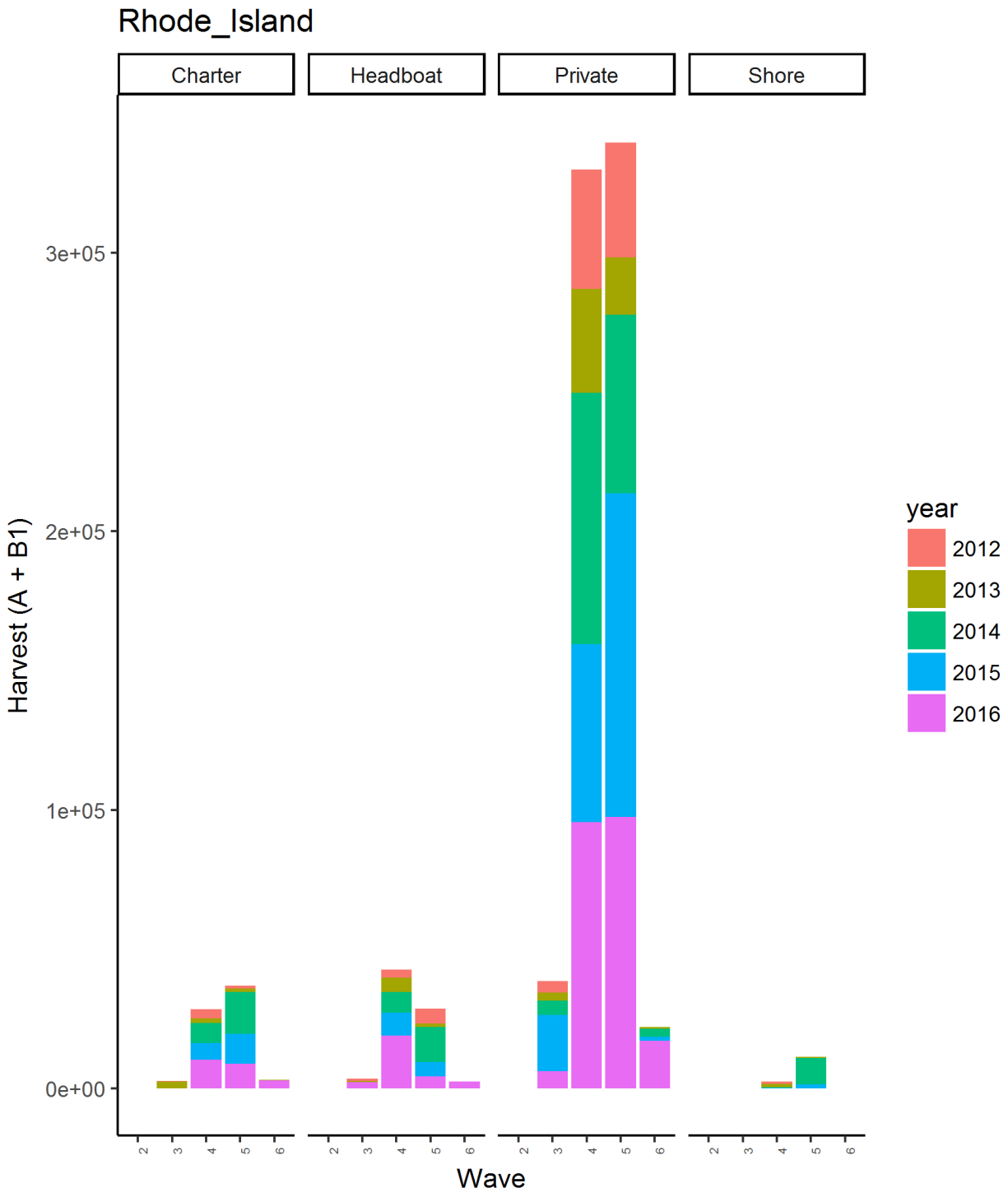

Virginia
2
3
4
5
6
Charter
Headboat
Private
Shore
Number of intercepts
0
300
600
900
1200
county
year
2012
2013
2014
2015
2016

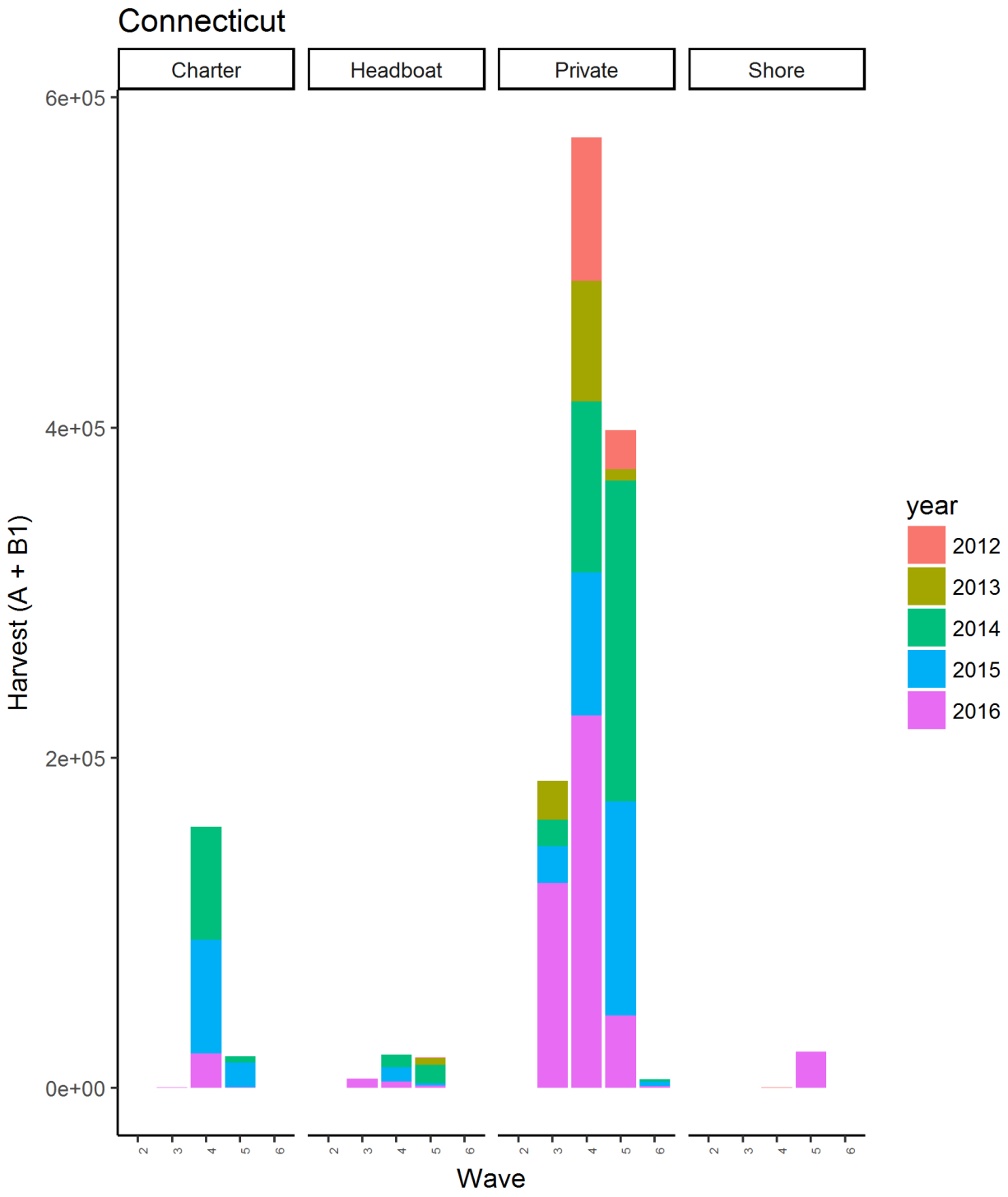
Harvest 2012-2016

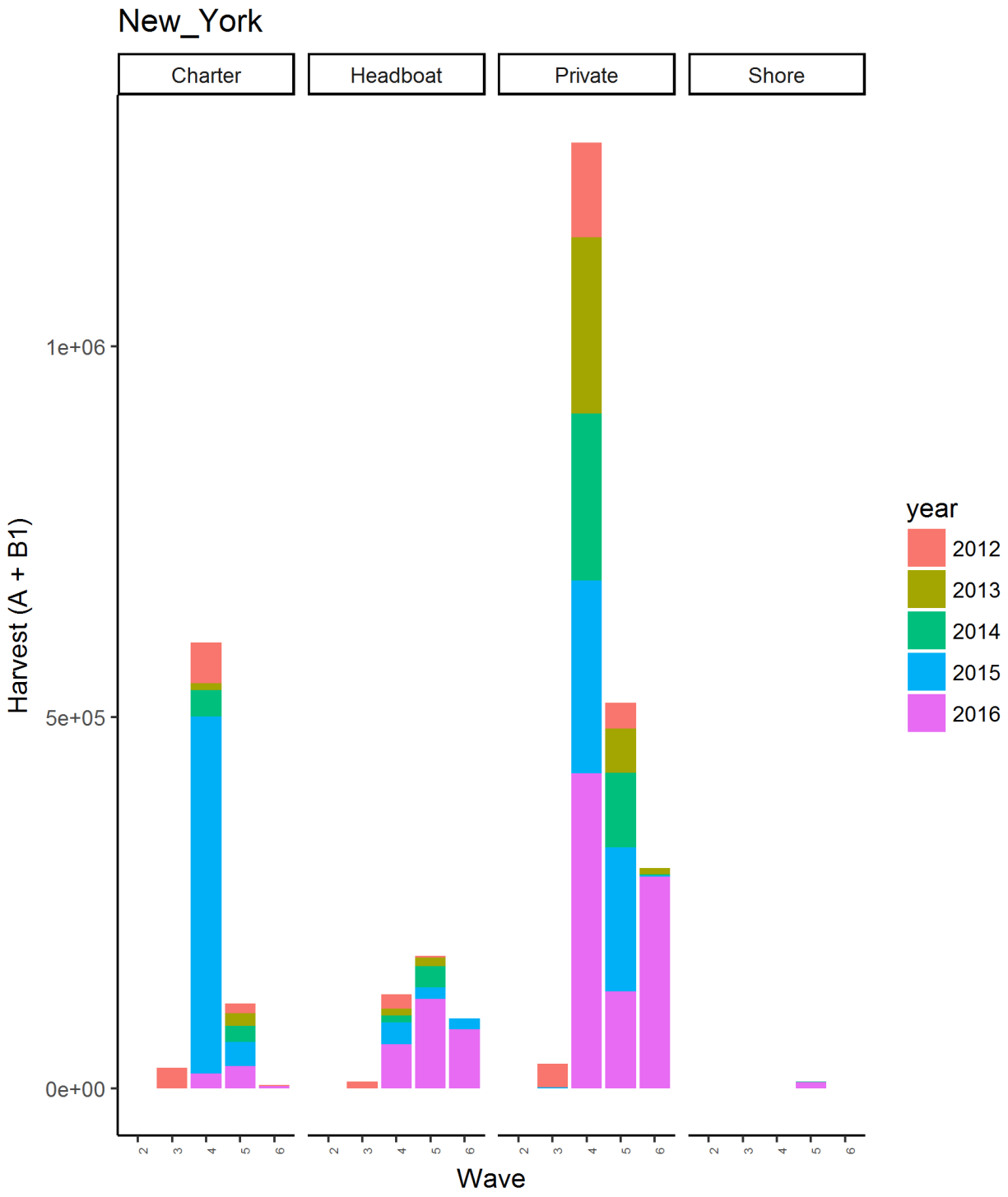
Visual summary of MRIP harvest estimates by year, state, county, wave, and mode (charter, headboat, private, shore).

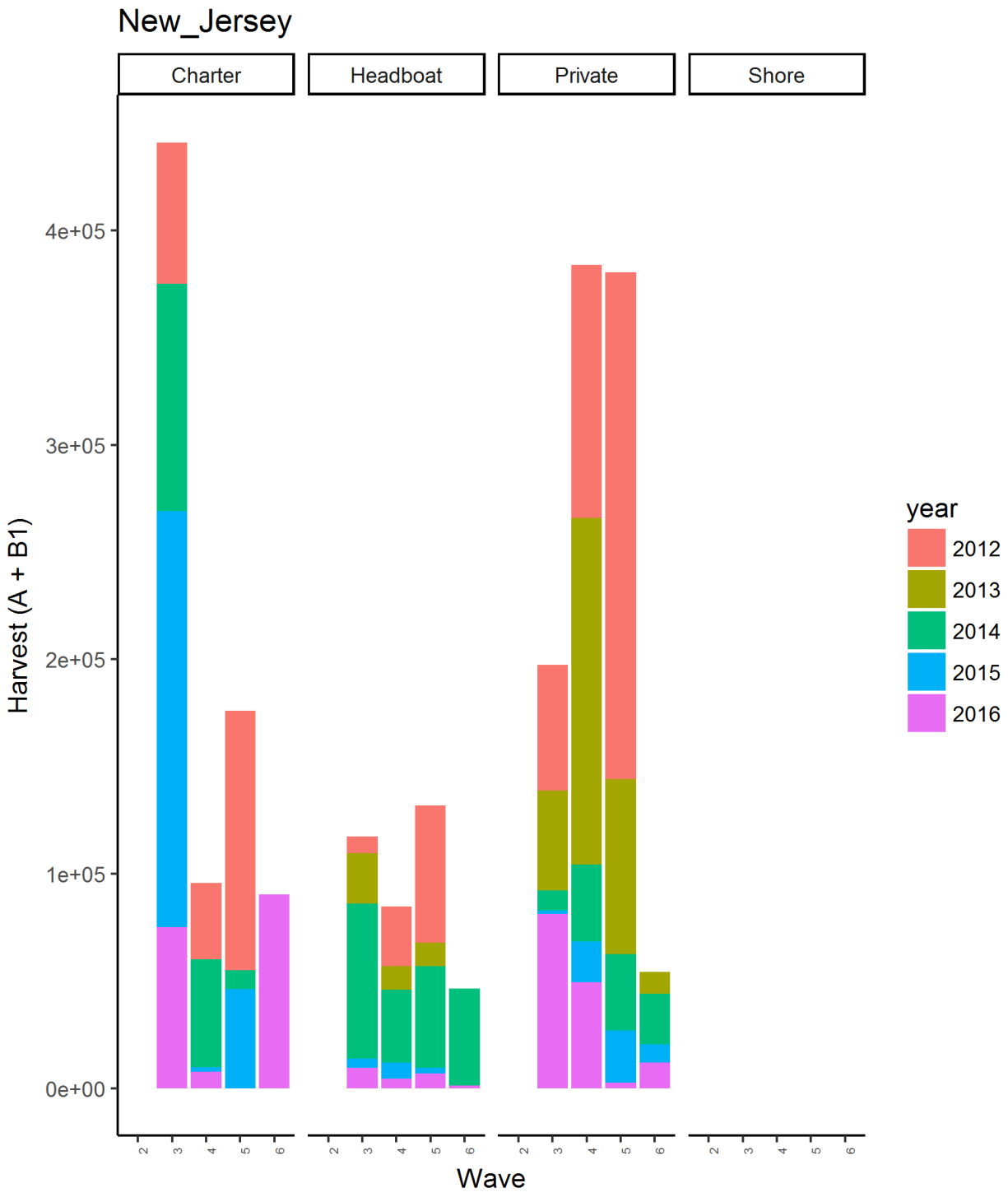


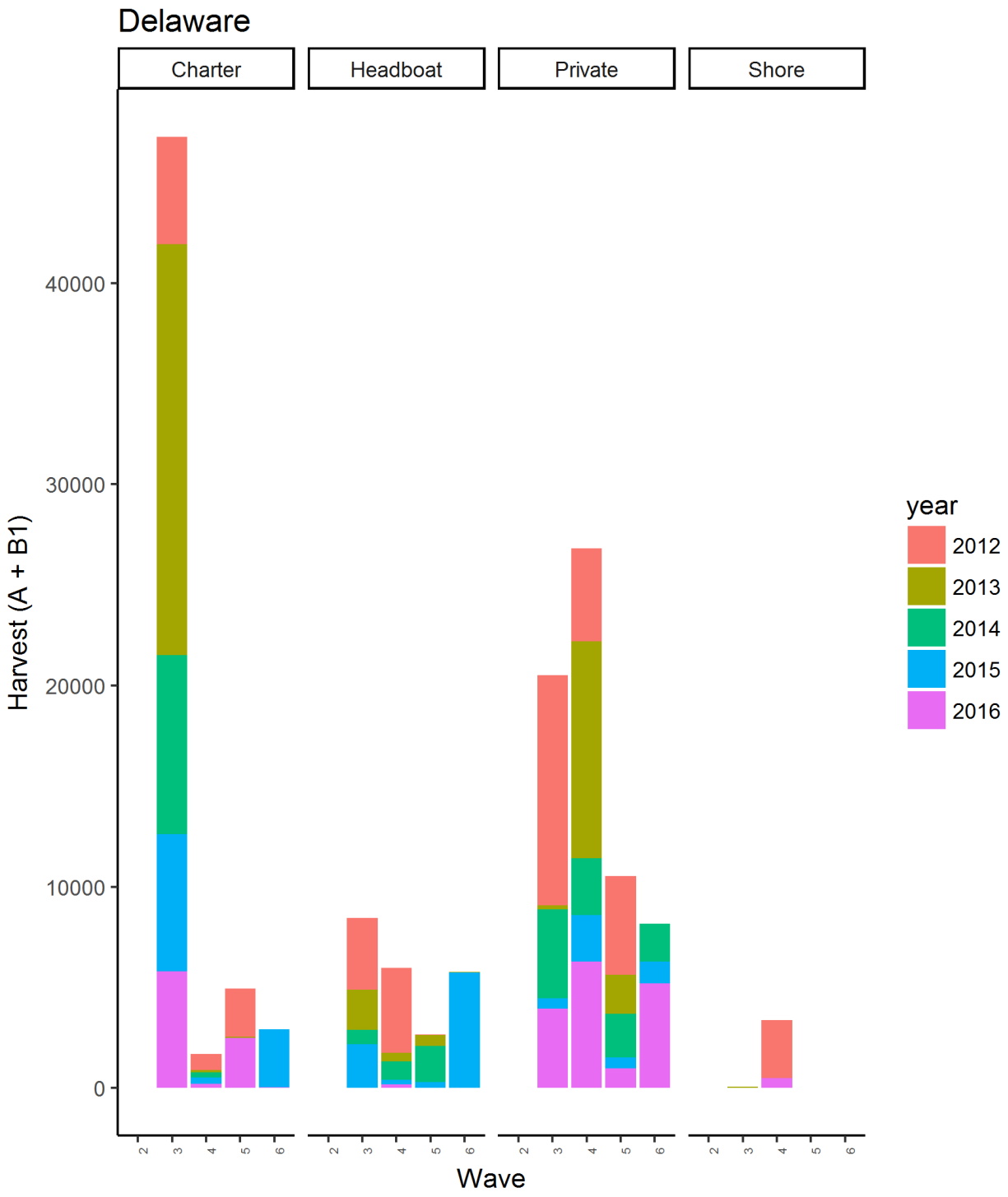

Massachusetts
Charter
Headboat
Private
Shore
750000
500000
250000
0
Harvest (A + B1)
2
3
4
5
6
Wave
year
2012
2013
2014
2015
2016

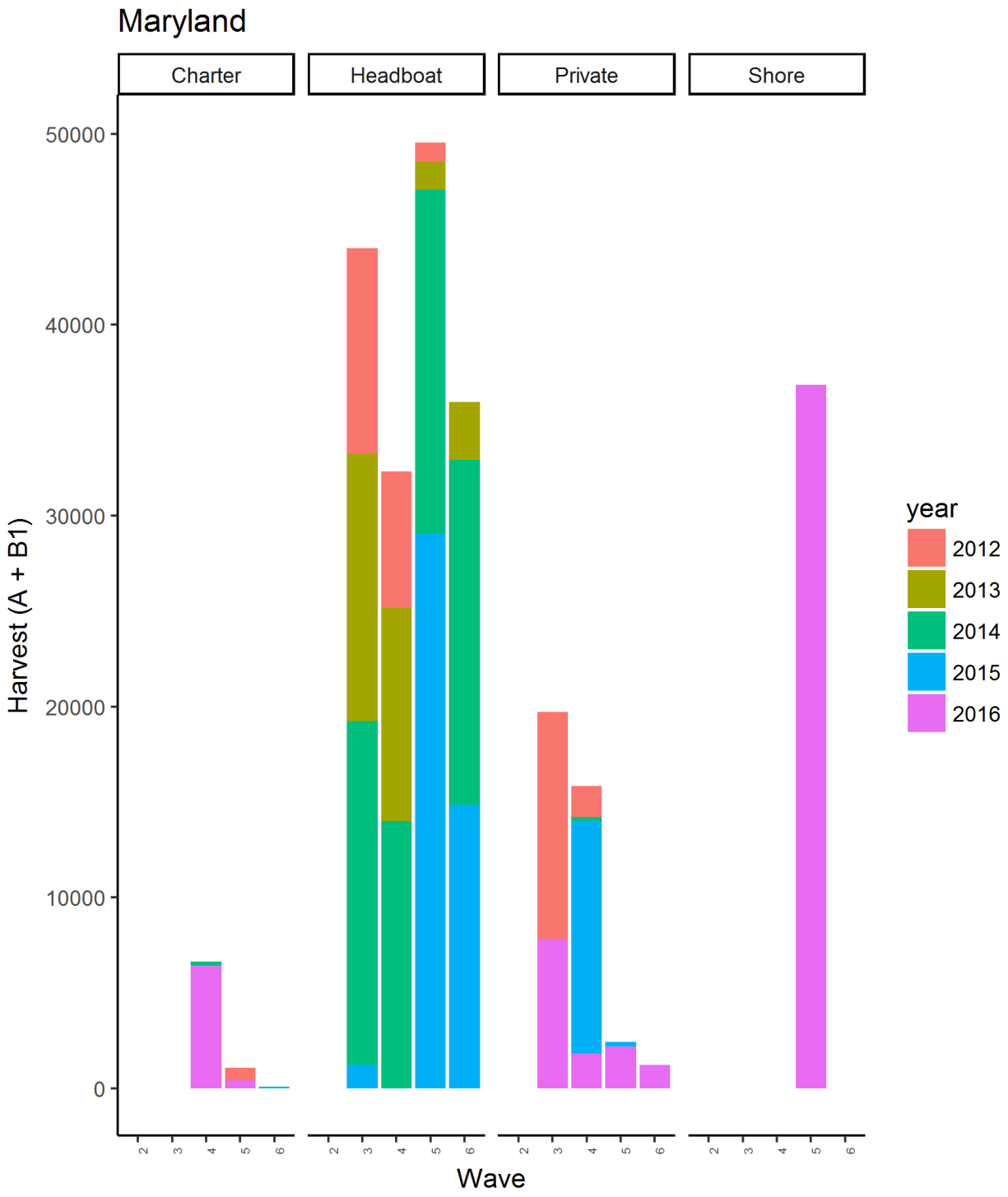

Rhode_Island
Charter
Headboat
Private
Shore
3e+05
2e+05
1e+05
0e+00
Harvest (A + B1)
2
3
4
5
6
Wave
year
2012
2013
2014
2015
2016

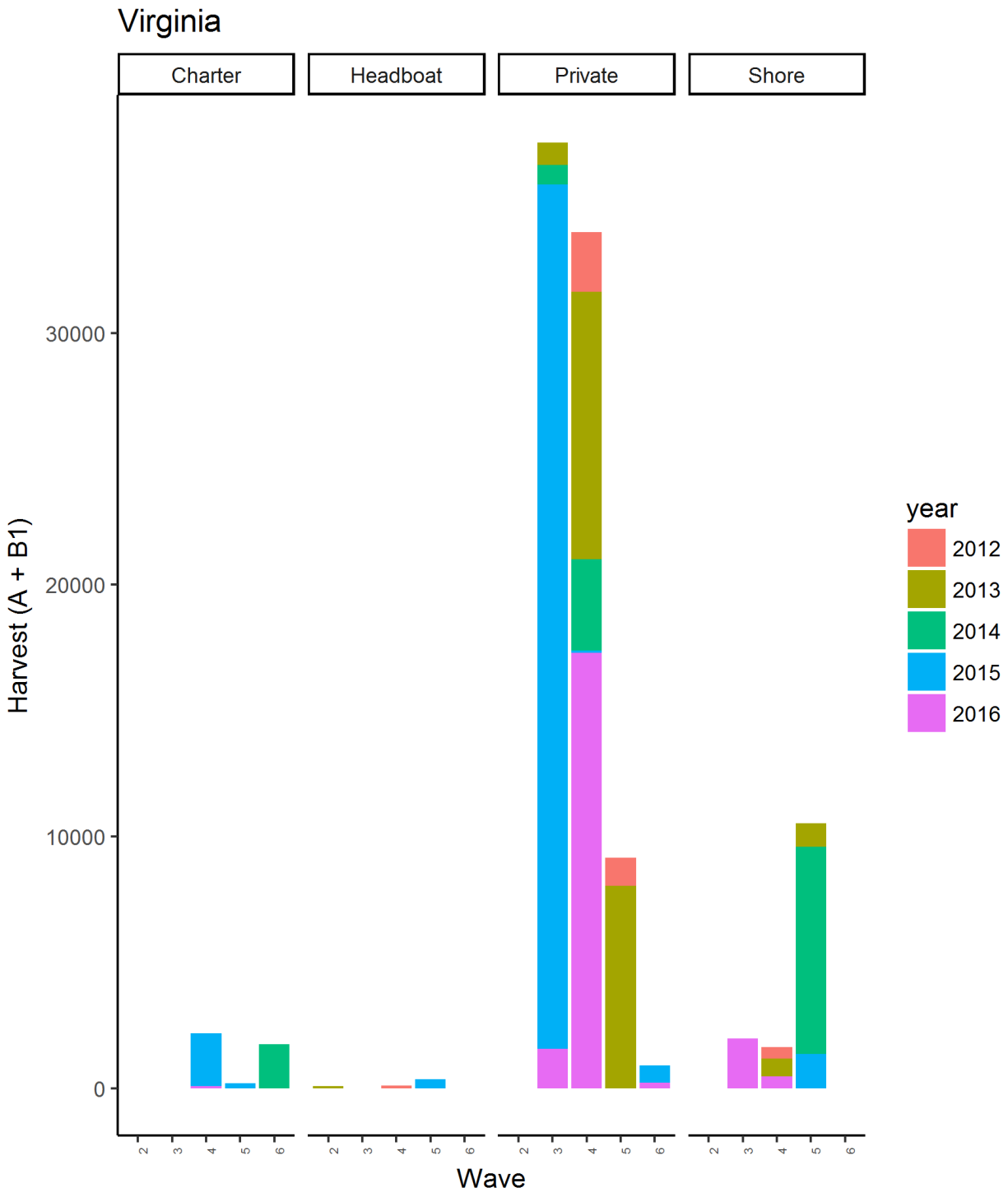

Connecticut
Charter
Headboat
Private
Shore
6e+05
4e+05
2e+05
0e+00
Harvest (A + B1)
2
3
4
5
6
Wave
year
2012
2013
2014
2015
2016


New_York
Charter
Headboat
Private
Shore
Harvest (A + B1)
1e+06
5e+05
0e+00
2
3
4
5
6
Wave
year
2012
2013
2014
2015
2016


New_Jersey
Charter
Headboat
Private
Shore
Harvest (A + B1)
4e+05
3e+05
2e+05
1e+05
0e+00
2
3
4
5
6
Wave
year
2012
2013
2014
2015
2016

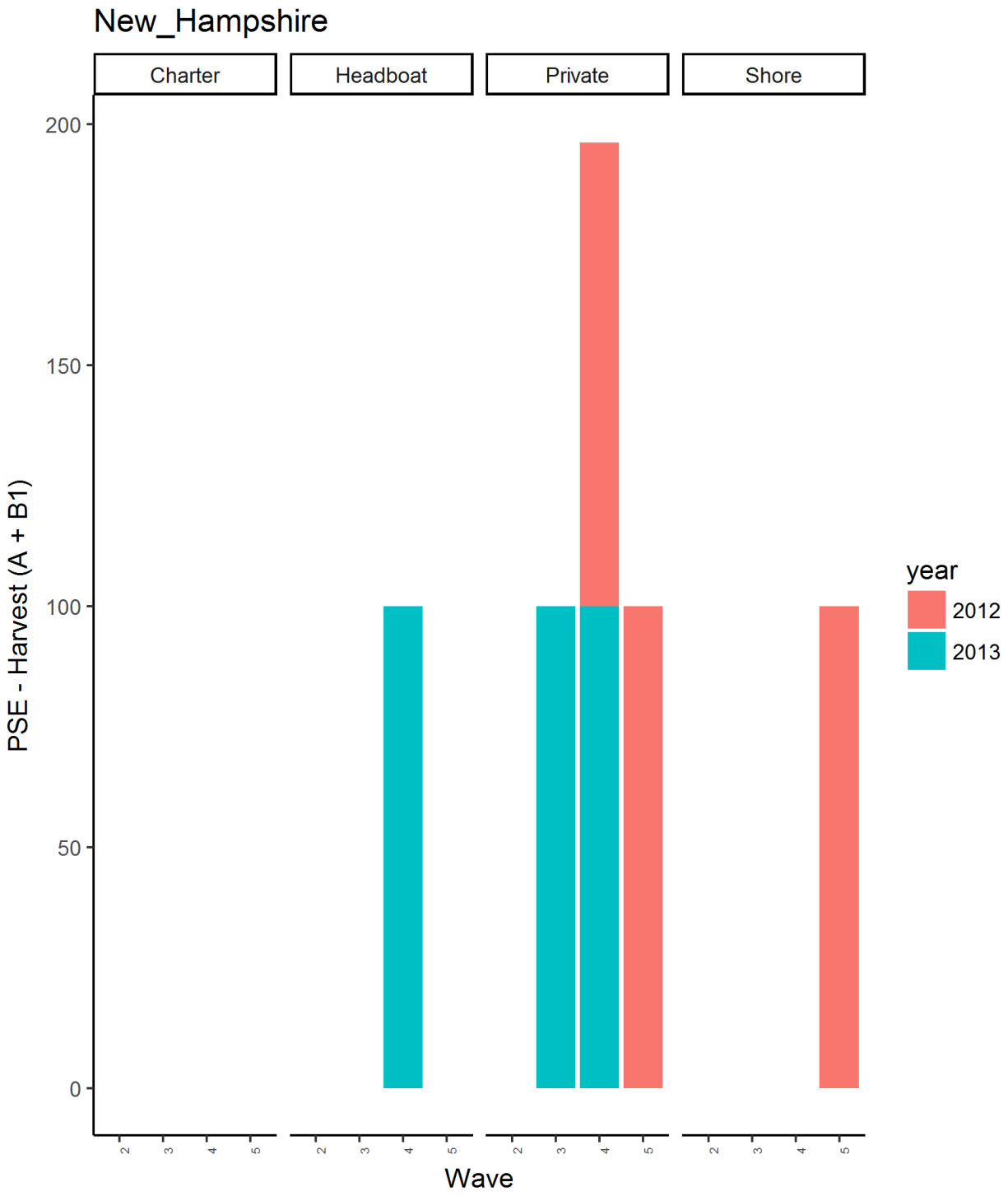

Delaware
Charter
Headboat
Private
Shore
Harvest (A + B1)
40000
30000
20000
10000
0
2
3
4
5
6
Wave
year
2012
2013
2014
2015
2016

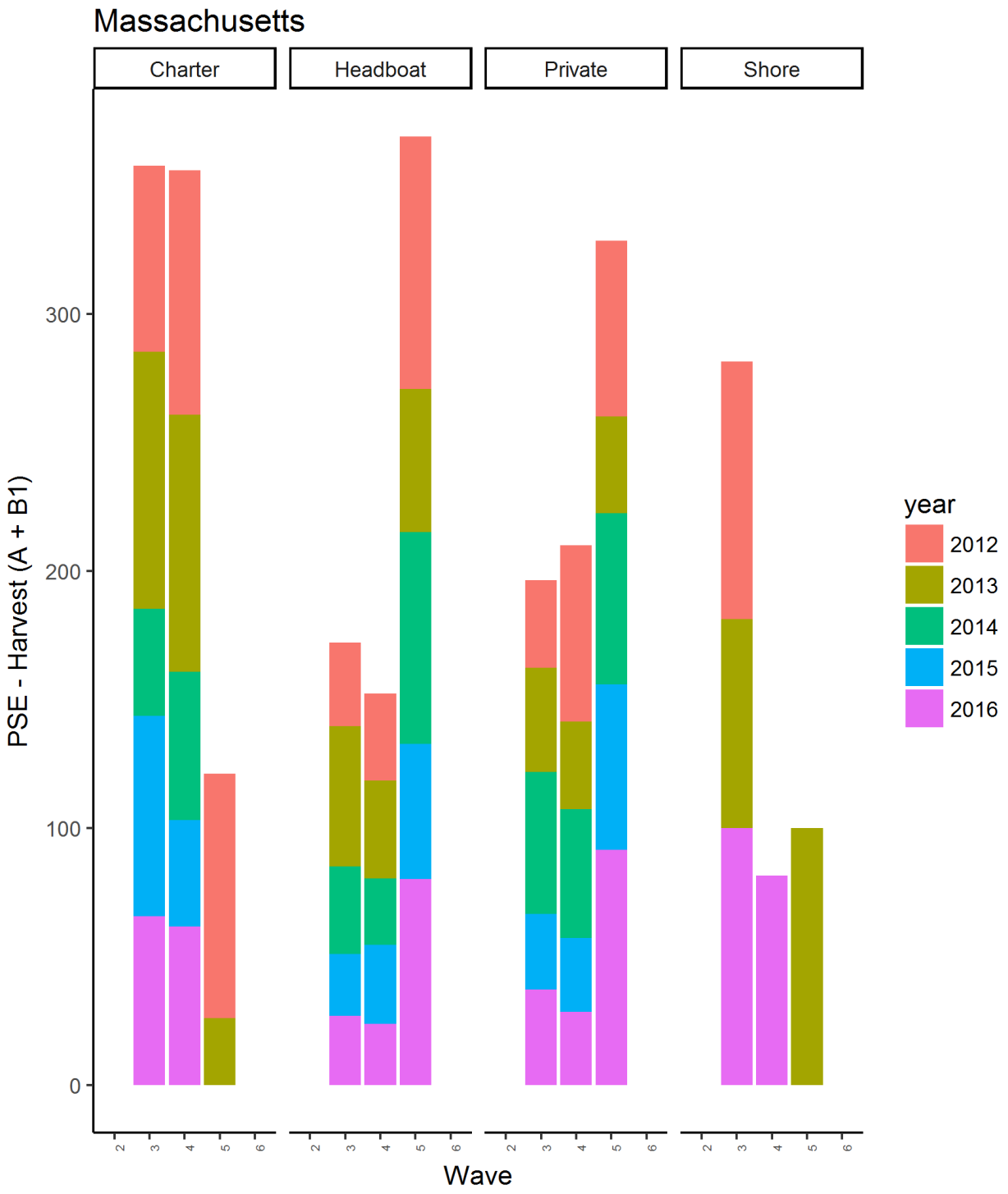

Maryland
Charter
Headboat
Private
Shore
50000
40000
30000
20000
10000
0
Harvest (A + B1)
2
3
4
5
6
Wave
year
2012
2013
2014
2015
2016

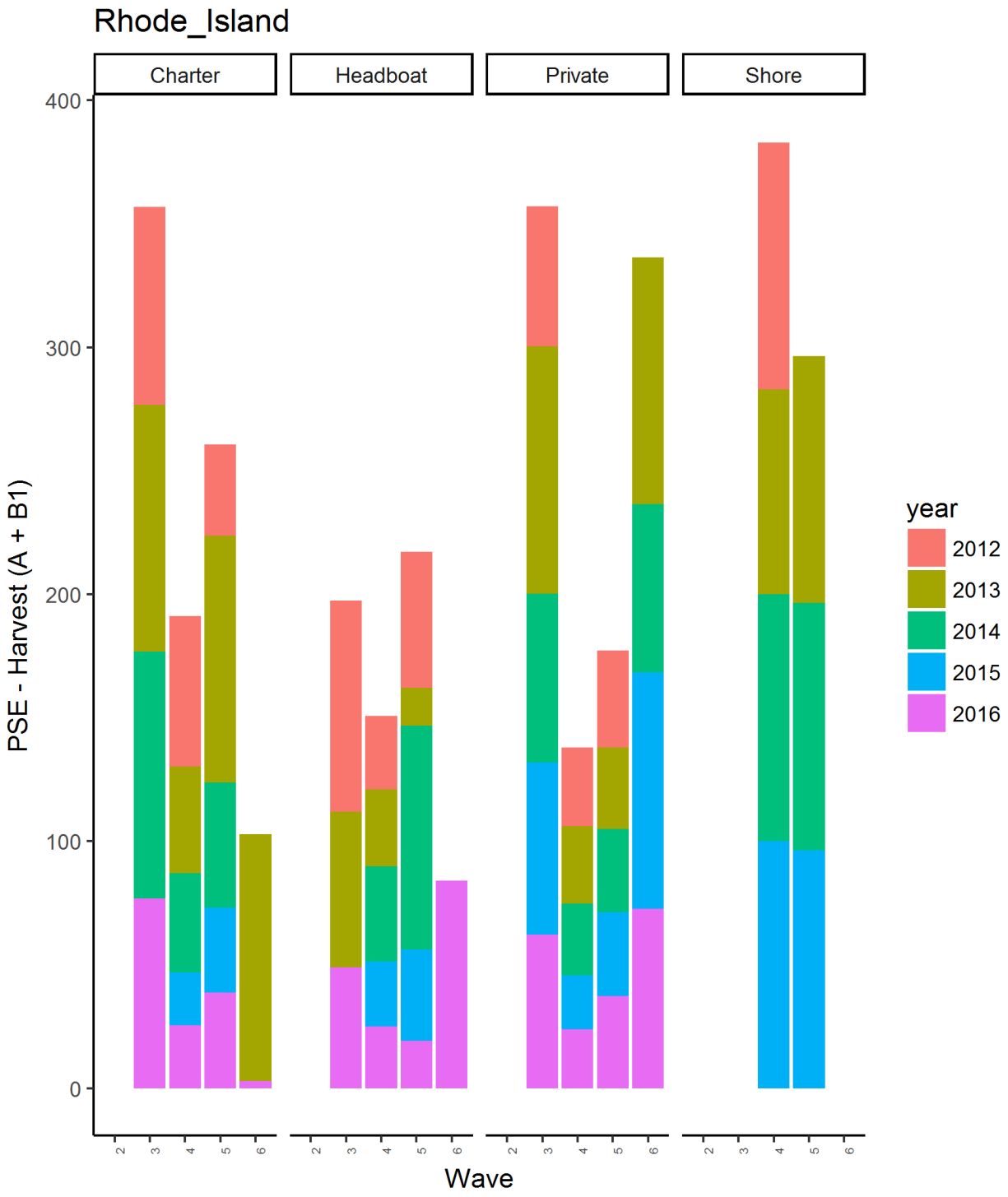

Virginia
Charter
Headboat
Private
Shore
Harvest (A + B1)
30000
20000
10000
0
2
3
4
5
6
Wave
year
2012
2013
2014
2015
2016

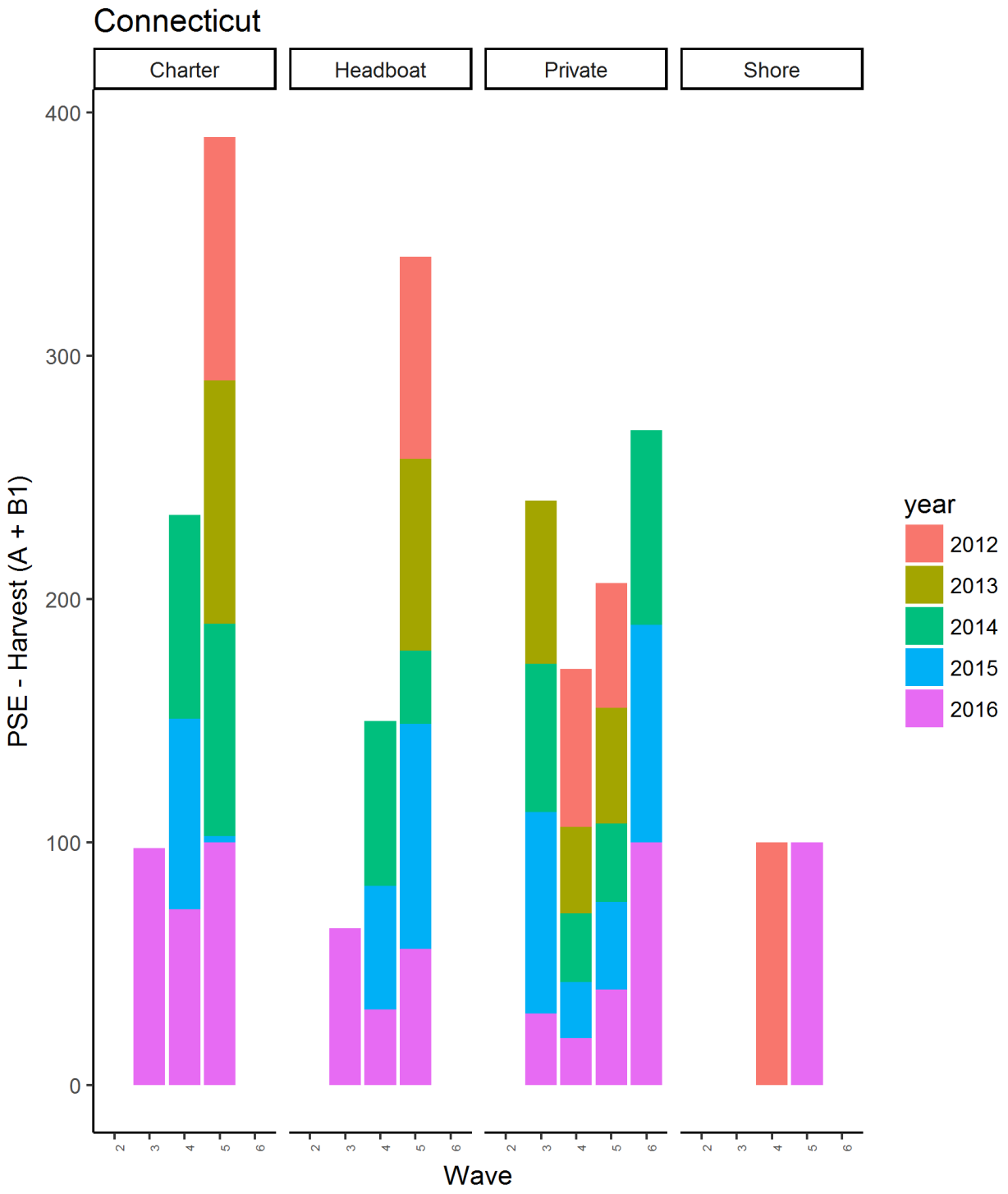
Harvest PSE comparison

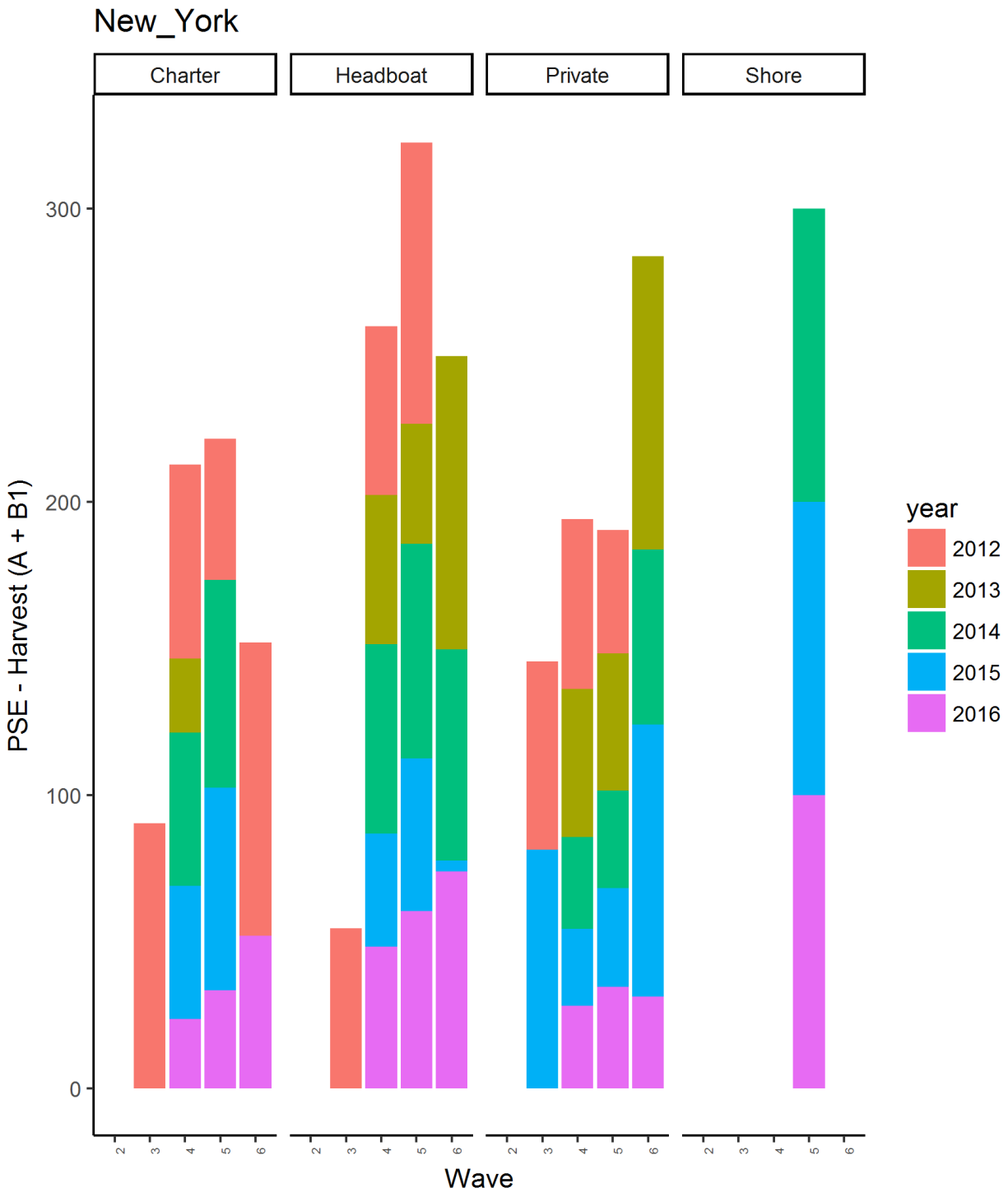
Visual summary of MRIP PSE estimates for harvest (A+B1) by year, state, county, wave, and mode (charter, headboat, private, shore).

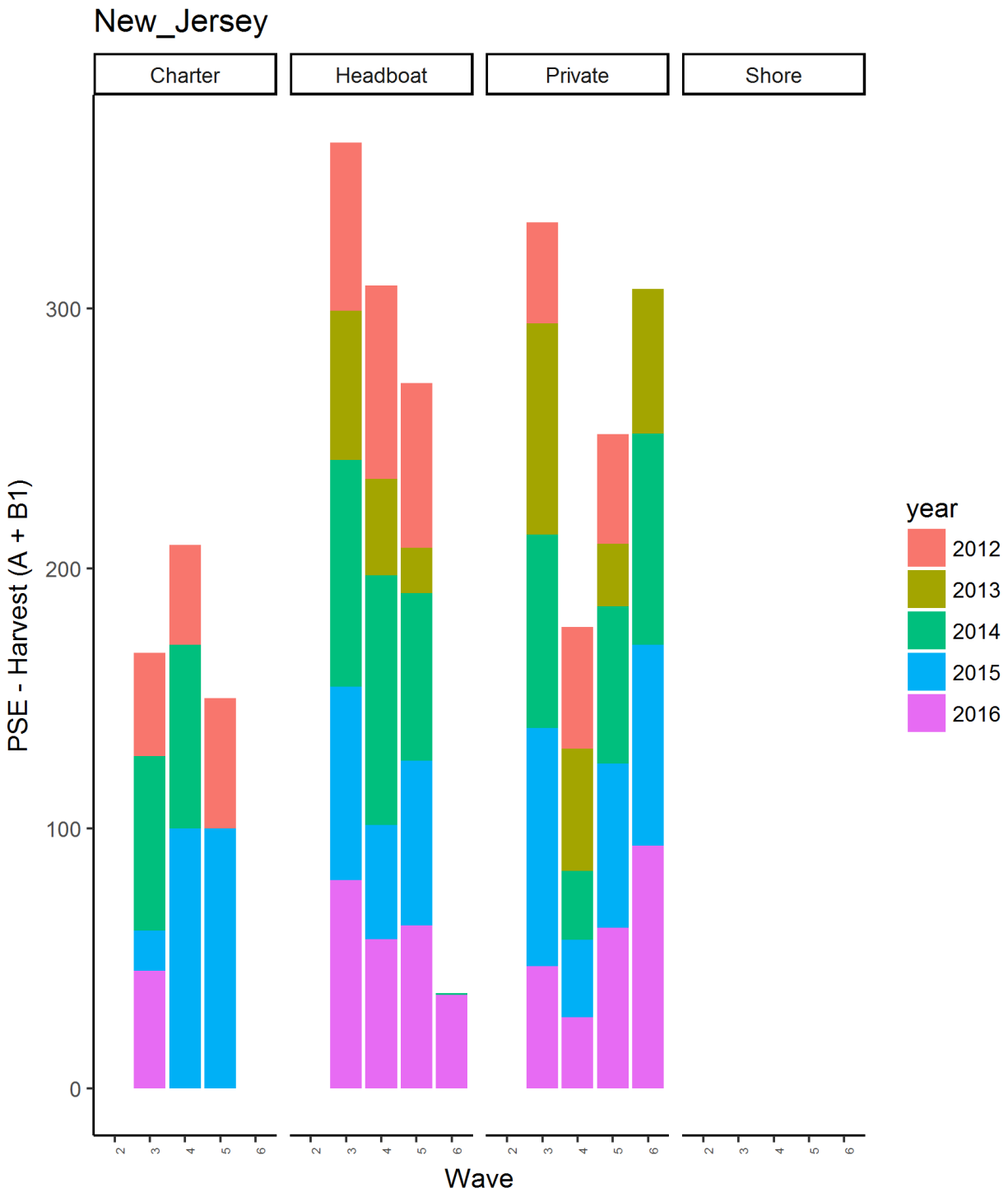


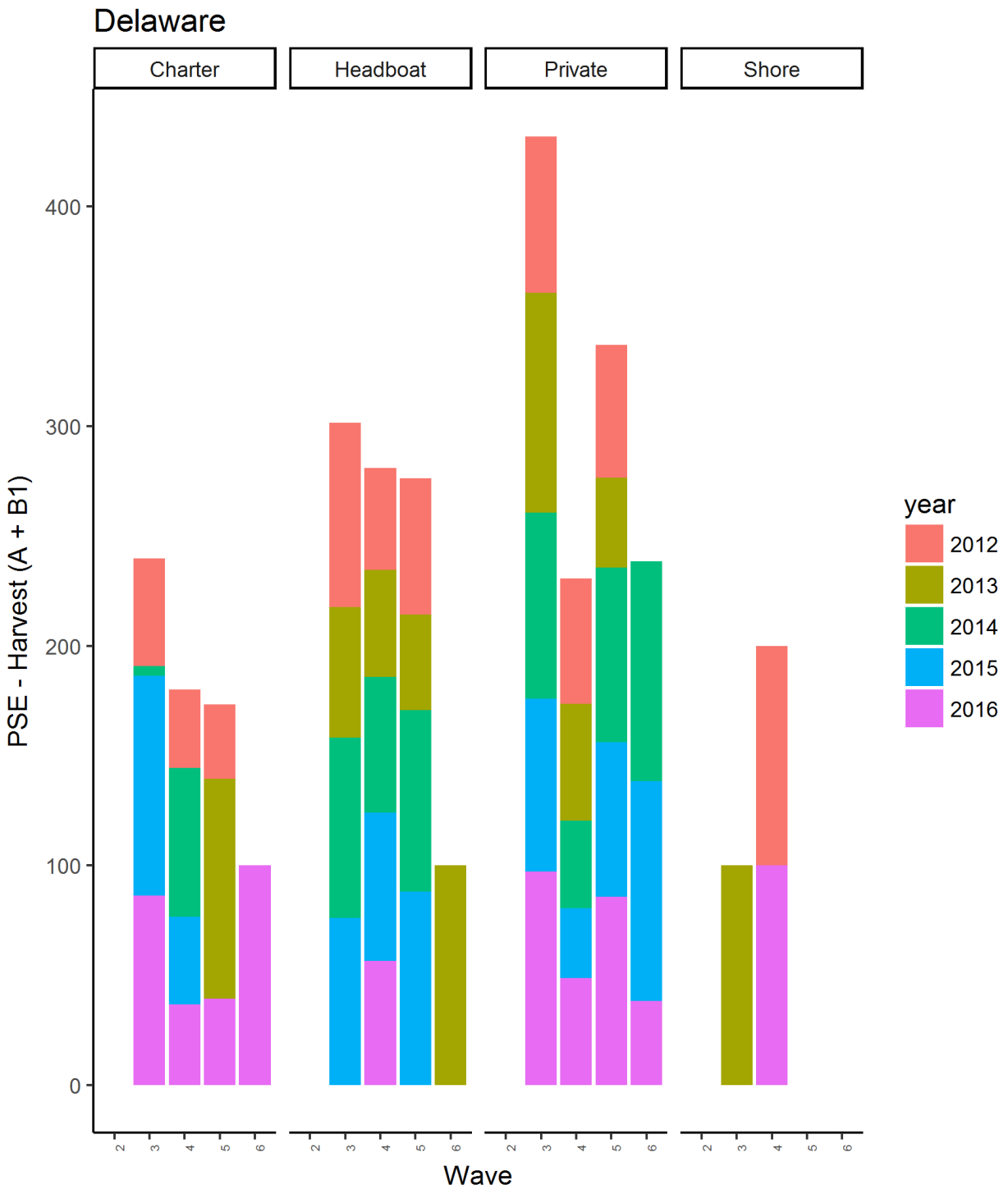

Massachusetts
Charter
Headboat
Private
Shore
PSE - Harvest (A + B1)
0
100
200
300
2
3
4
5
6
Wave
year
2012
2013
2014
2015
2016

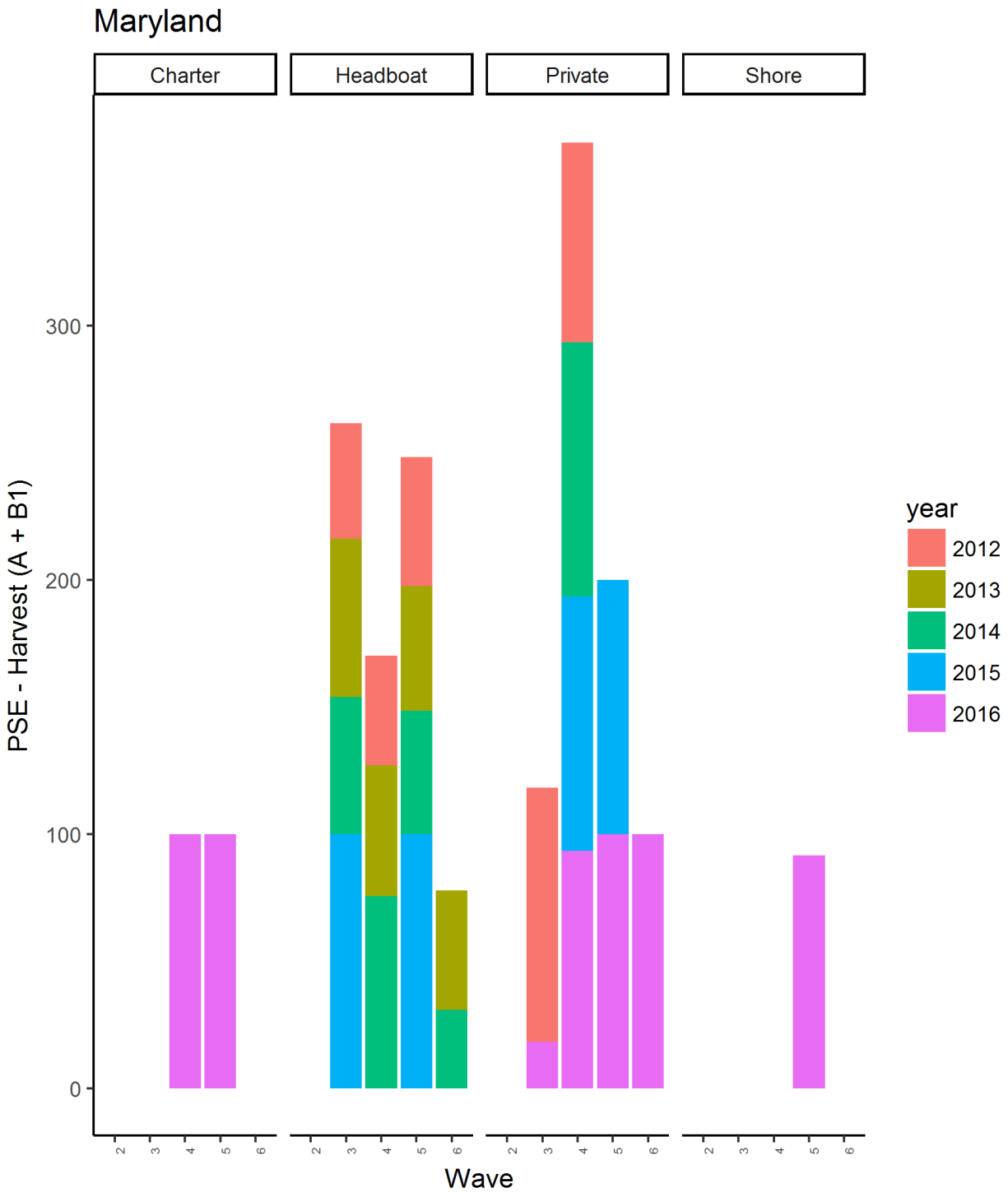

Rhode_Island
Charter
Headboat
Private
Shore
PSE - Harvest (A + B1)
400
300
200
100
0
2
3
4
5
6
Wave
year
2012
2013
2014
2015
2016

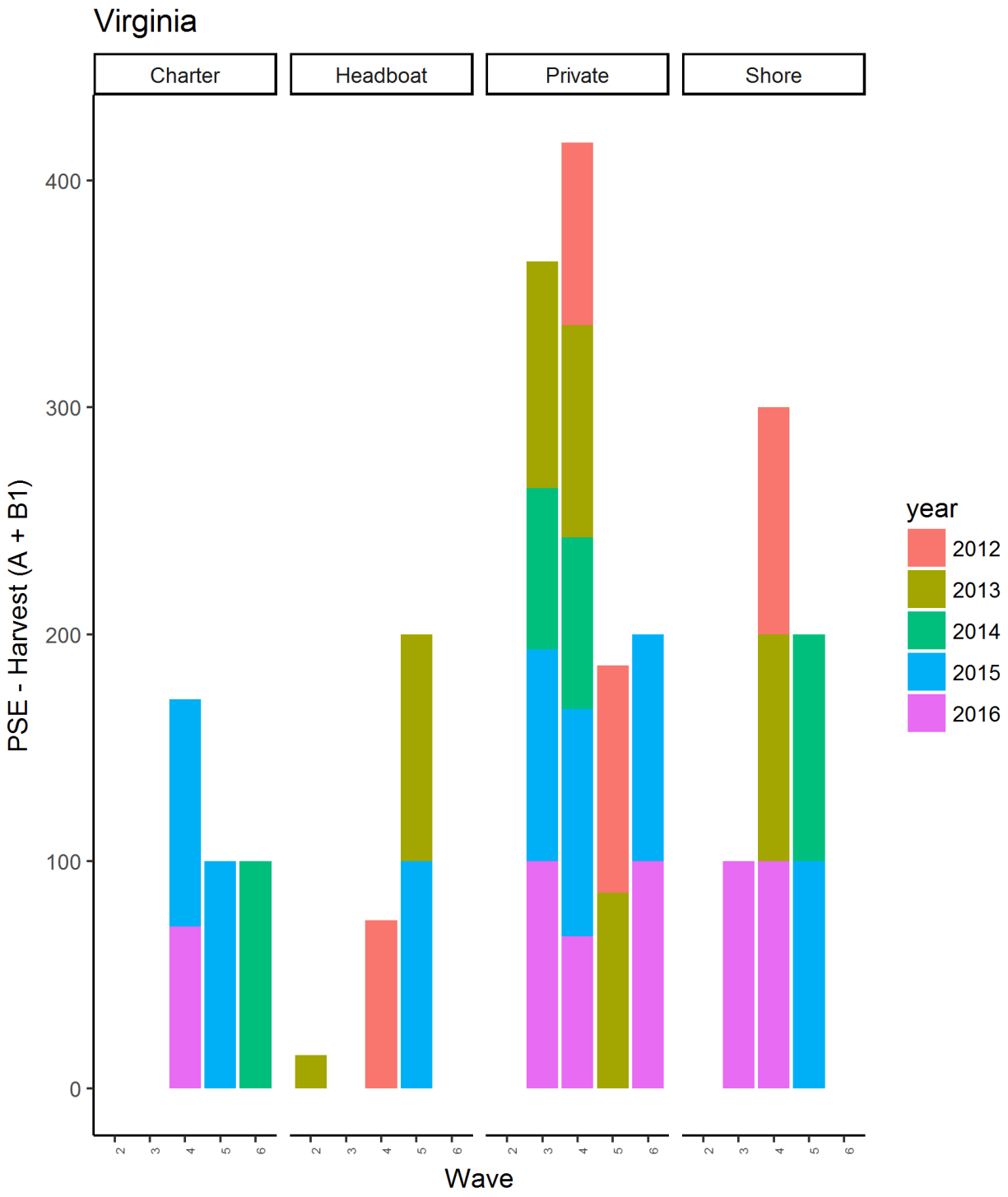

Connecticut
Charter
Headboat
Private
Shore
400
300
200
100
0
PSE - Harvest (A + B1)
2
3
4
5
6
Wave
year
2012
2013
2014
2015
2016


New_York
Charter
Headboat
Private
Shore
PSE - Harvest (A + B1)
300
200
100
0
2
3
4
5
6
Wave
year
2012
2013
2014
2015
2016


New_Jersey
Charter
Headboat
Private
Shore
PSE - Harvest (A + B1)
300
200
100
0
2
3
4
5
6
Wave
year
2012
2013
2014
2015
2016

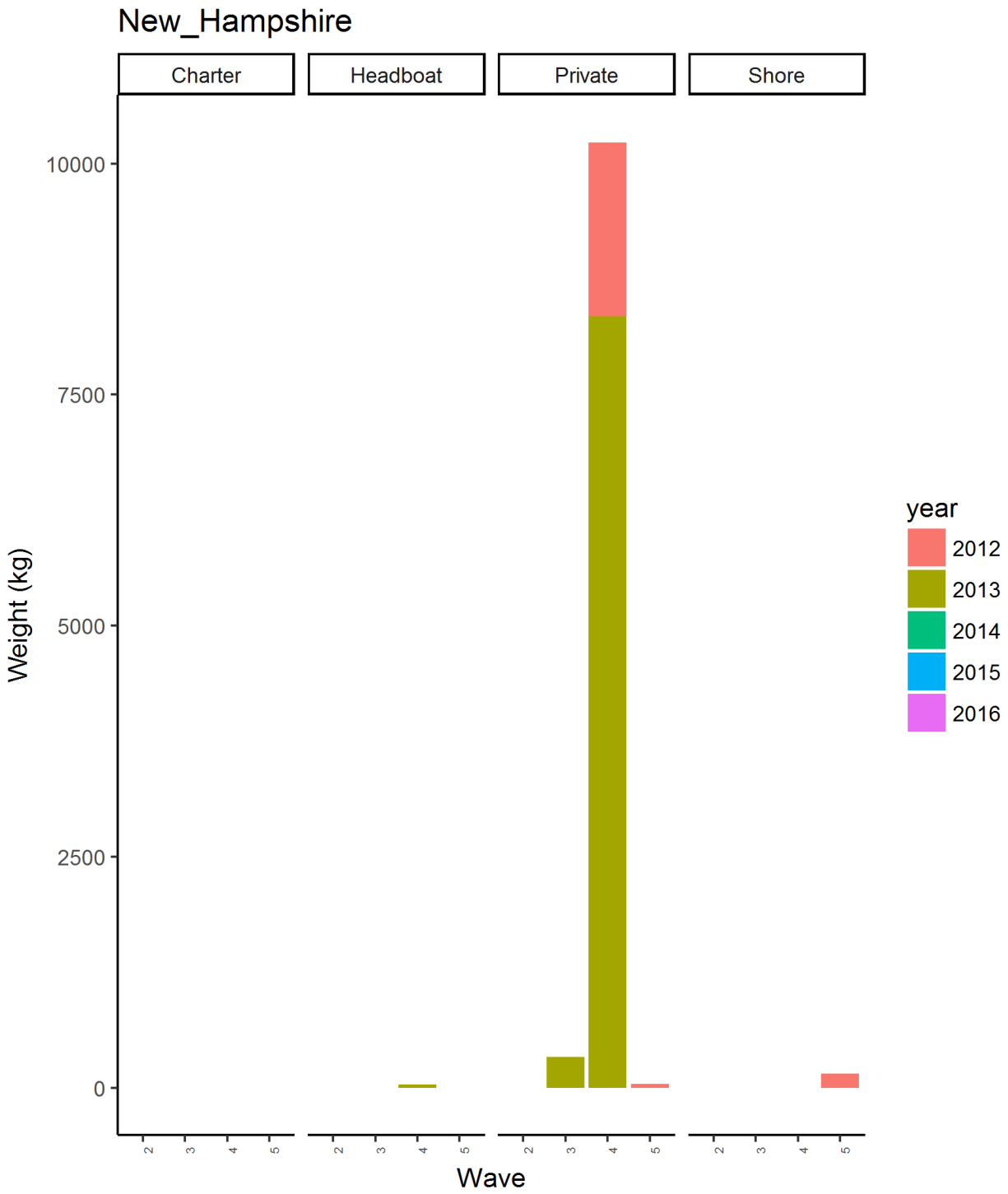

Delaware
Charter
Headboat
Private
Shore
PSE - Harvest (A + B1)
400
300
200
100
0
2
3
4
5
6
Wave
year
2012
2013
2014
2015
2016

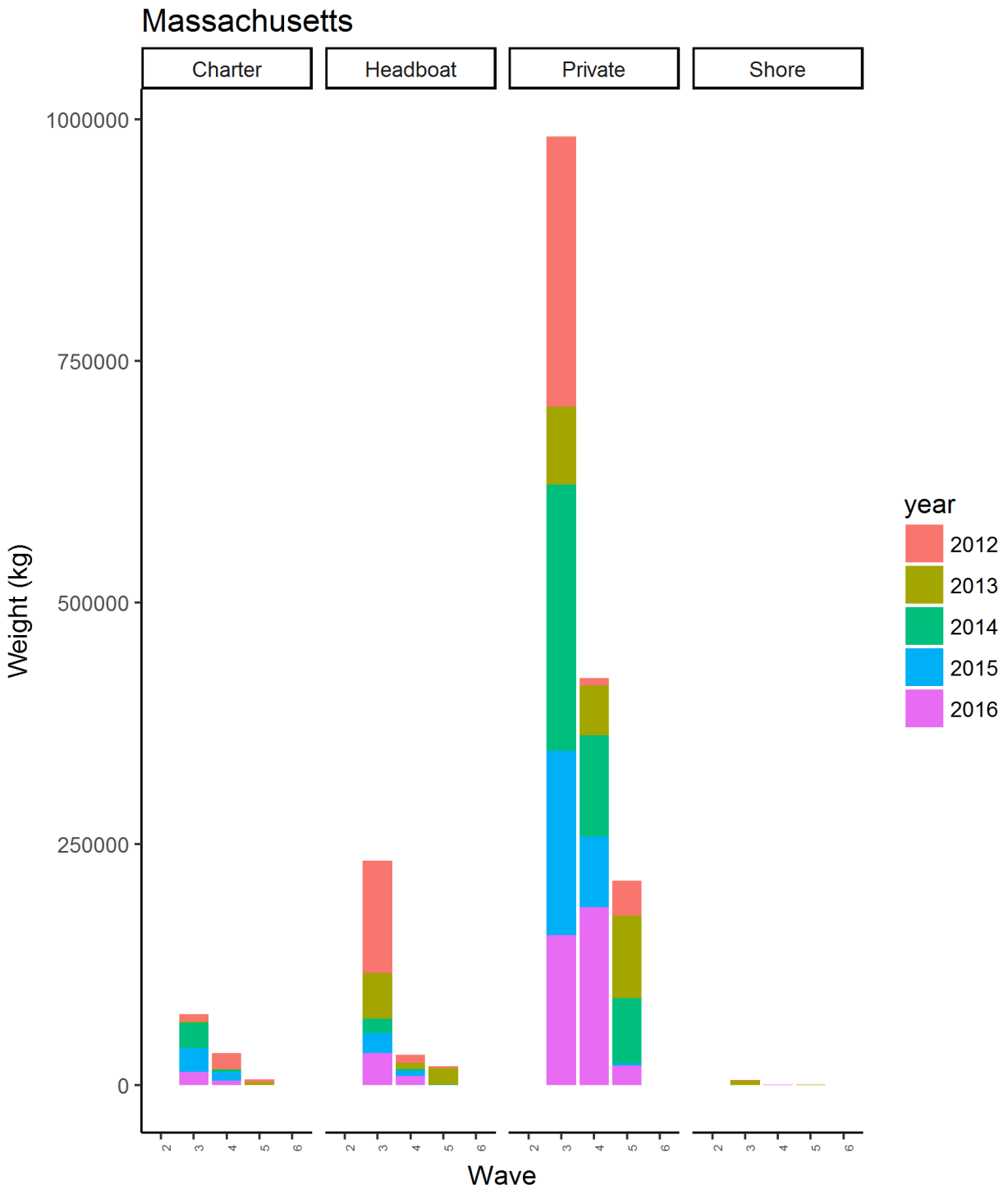

Maryland
Charter
Headboat
Private
Shore
PSE - Harvest (A + B1)
300
200
100
0
2
3
4
5
6
Wave
year
2012
2013
2014
2015
2016

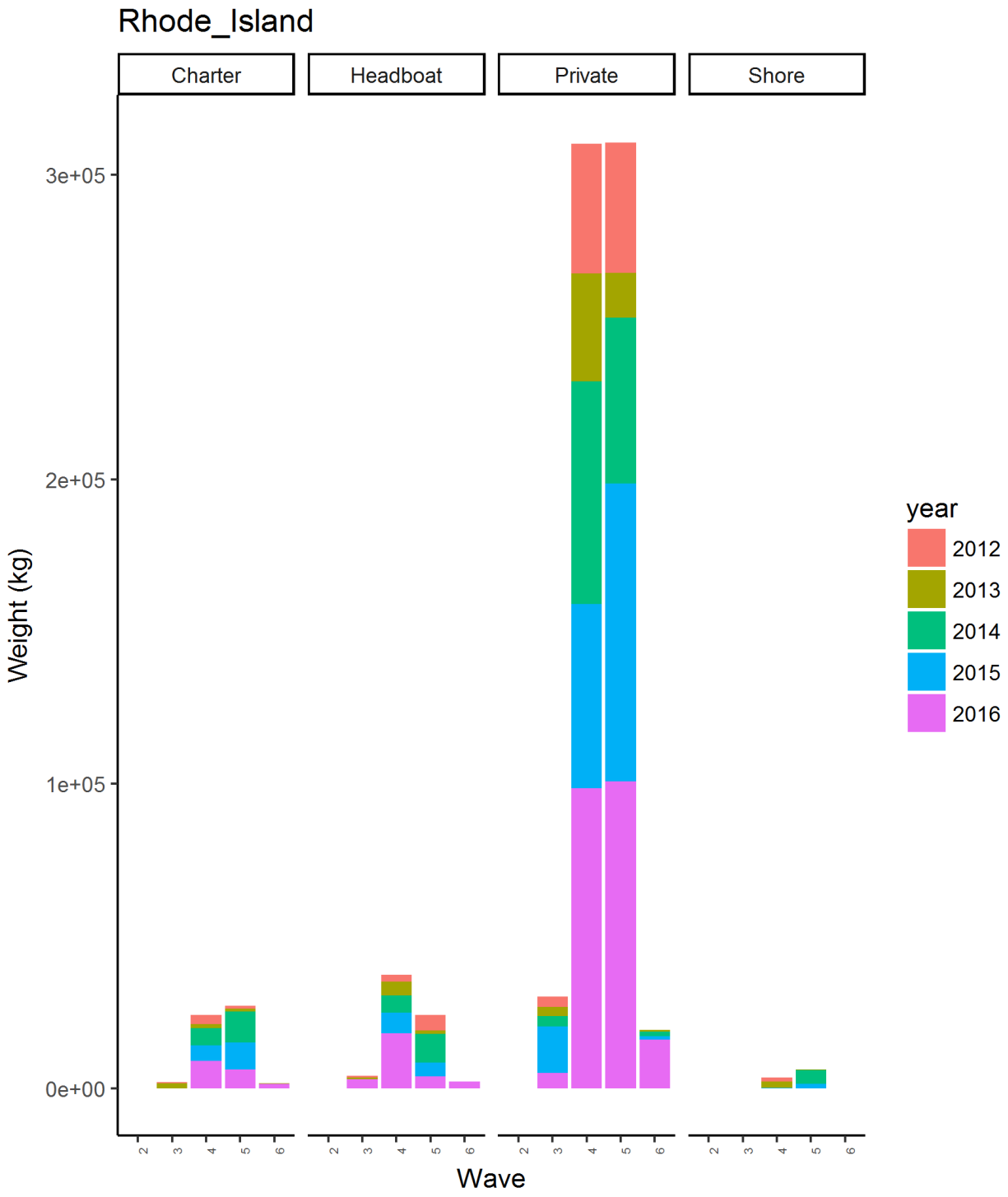

Virginia
Charter
Headboat
Private
Shore
PSE - Harvest (A + B1)
400
300
200
100
0
2
3
4
5
6
Wave
year
2012
2013
2014
2015
2016

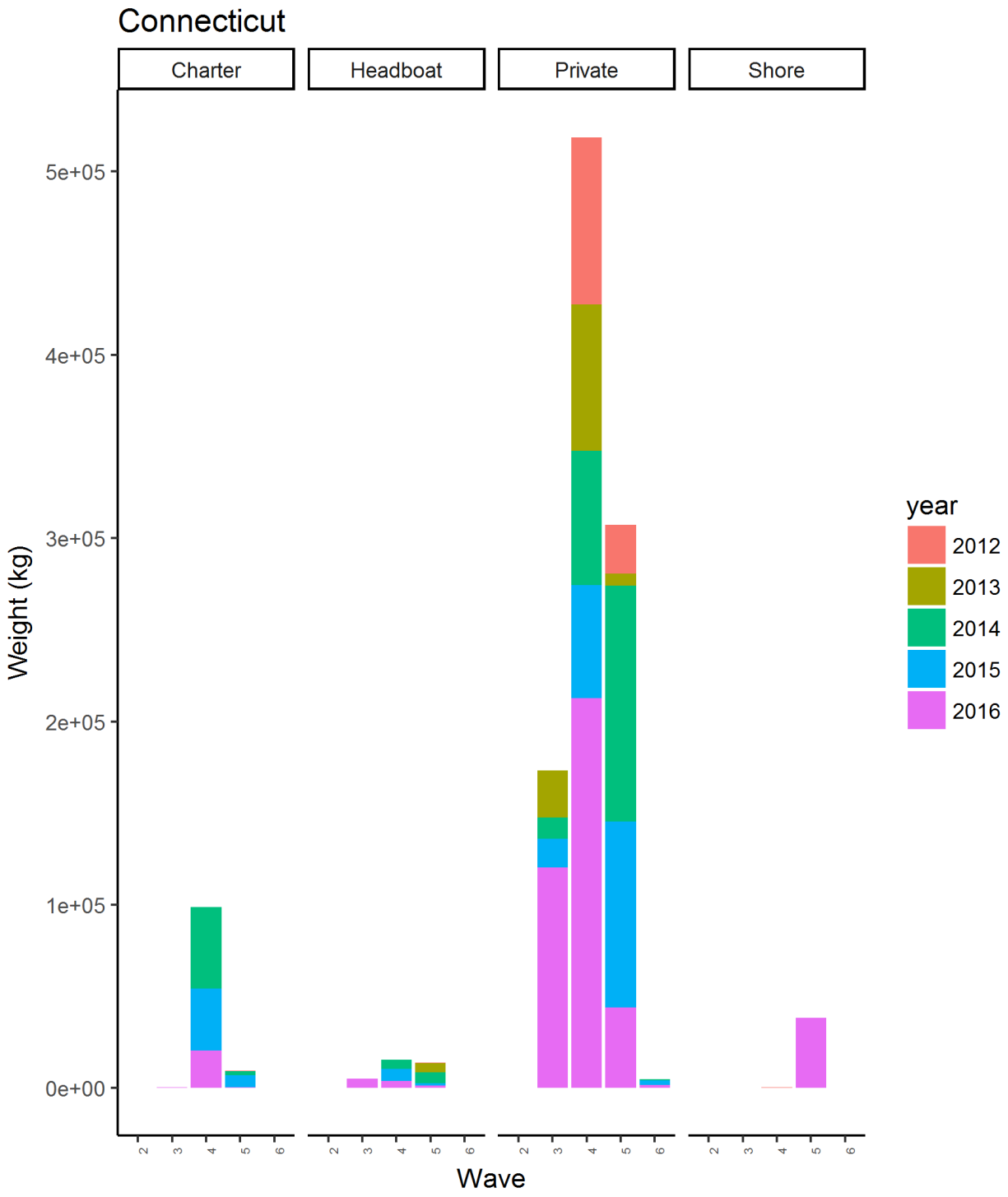
Harvested Weight 2011-2016

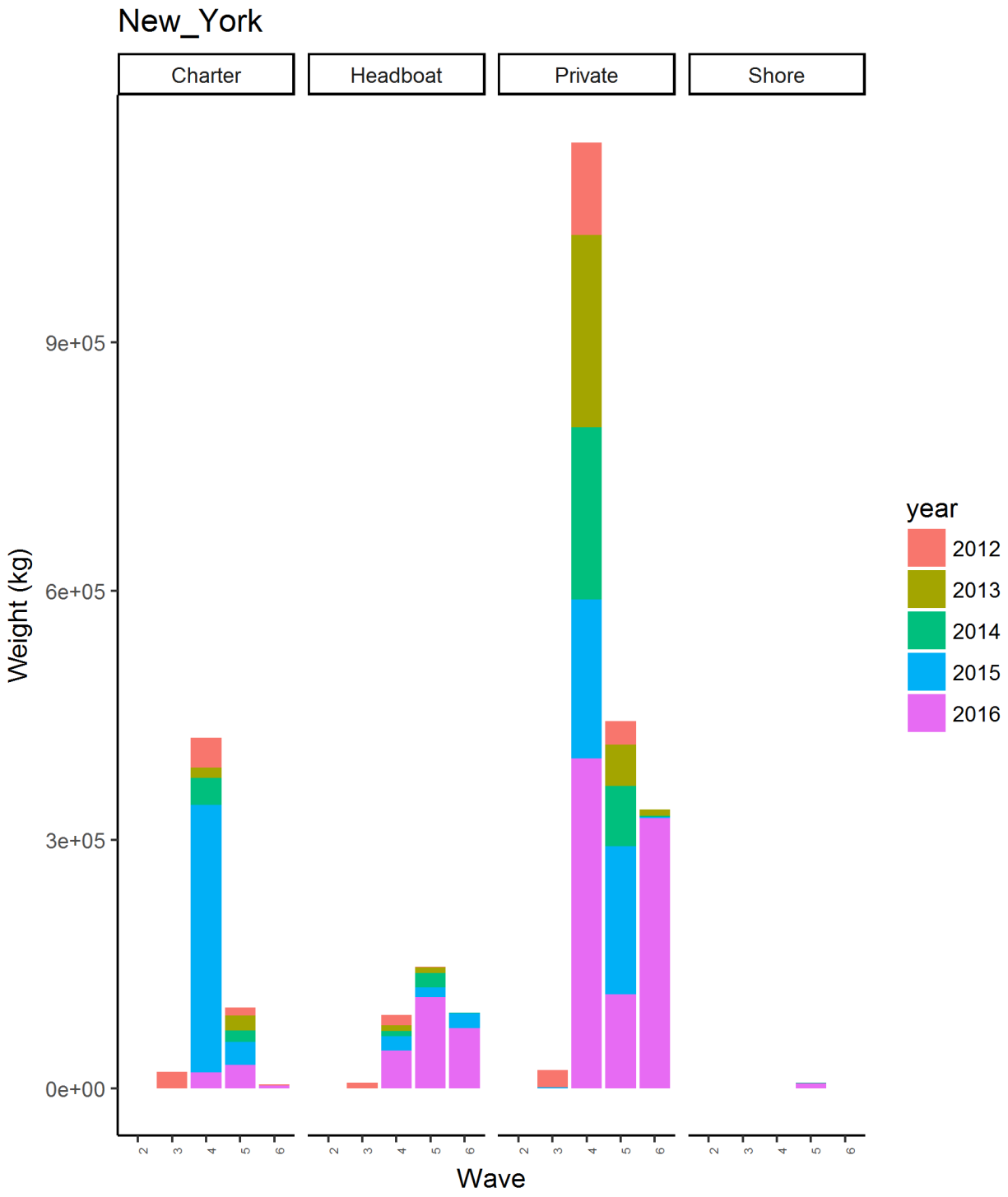
Visual summary of MRIP harvest estimates by year, state, county, wave, and mode (charter, headboat, private, shore).




Massachusetts
Charter
Headboat
Private
Shore
1000000
750000
500000
250000
0
Weight (kg)
2
3
4
5
6
Wave
year
2012
2013
2014
2015
2016


Rhode_Island
Charter
Headboat
Private
Shore
3e+05
2e+05
1e+05
0e+00
Weight (kg)
2
3
4
5
6
Wave
year
2012
2013
2014
2015
2016


Connecticut
Charter
Headboat
Private
Shore
Weight (kg)
5e+05
4e+05
3e+05
2e+05
1e+05
0e+00
2
3
4
5
6
Wave
year
2012
2013
2014
2015
2016


New_York
Charter
Headboat
Private
Shore
Weight (kg)
9e+05
6e+05
3e+05
0e+00
2
3
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Wave
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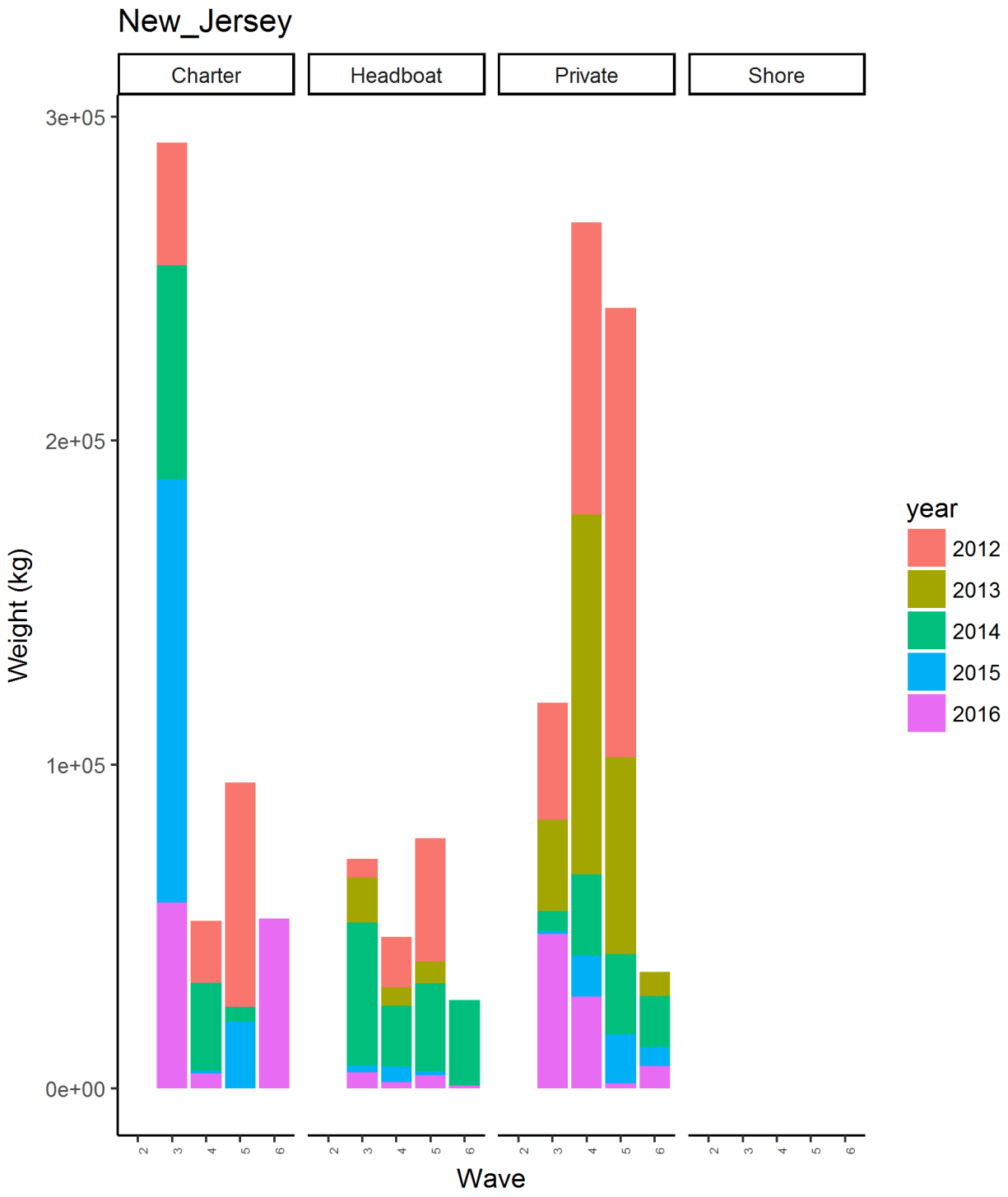
2016


New_Jersey
Charter
Headboat
Private
Shore
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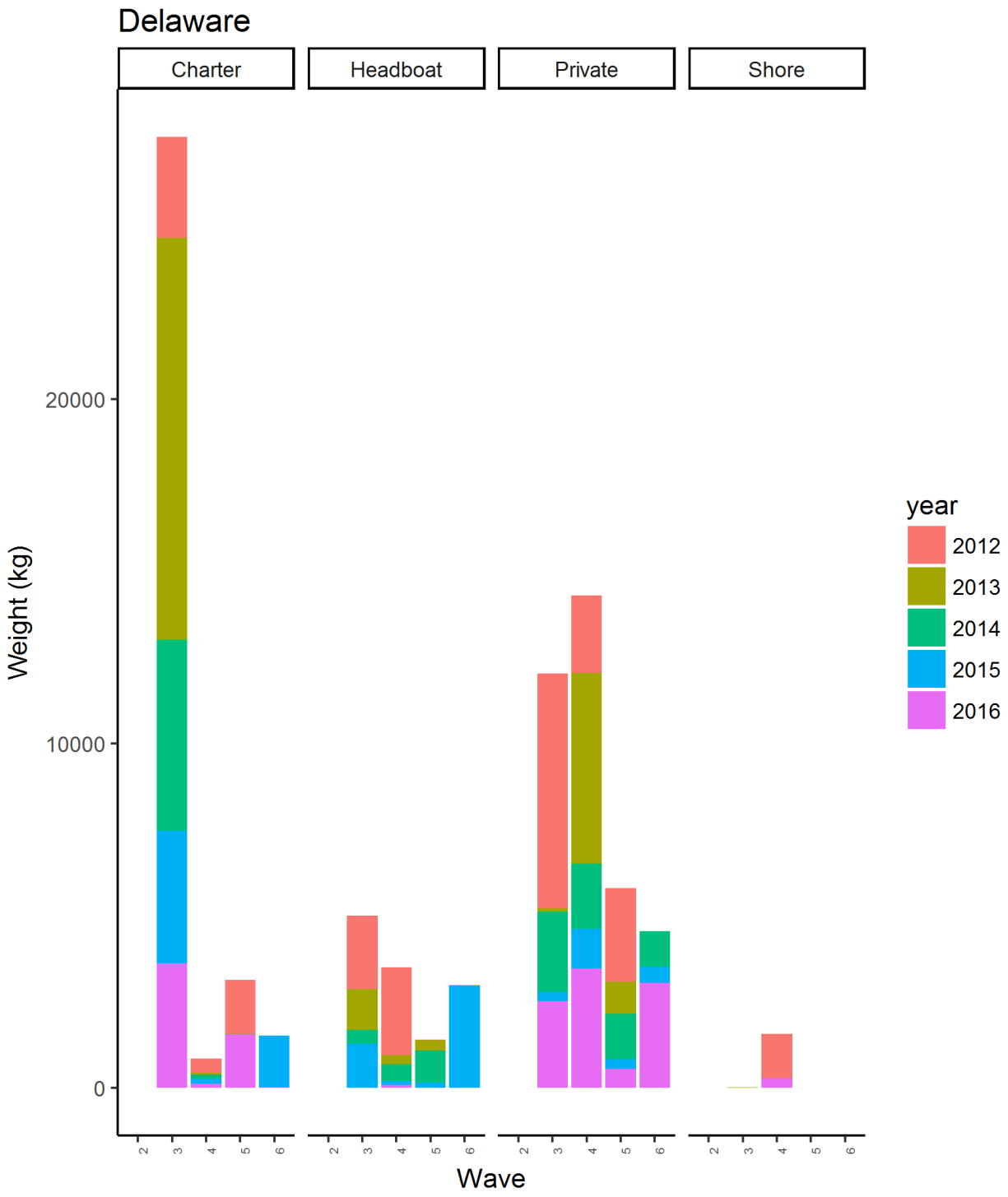
Delaware
Charter
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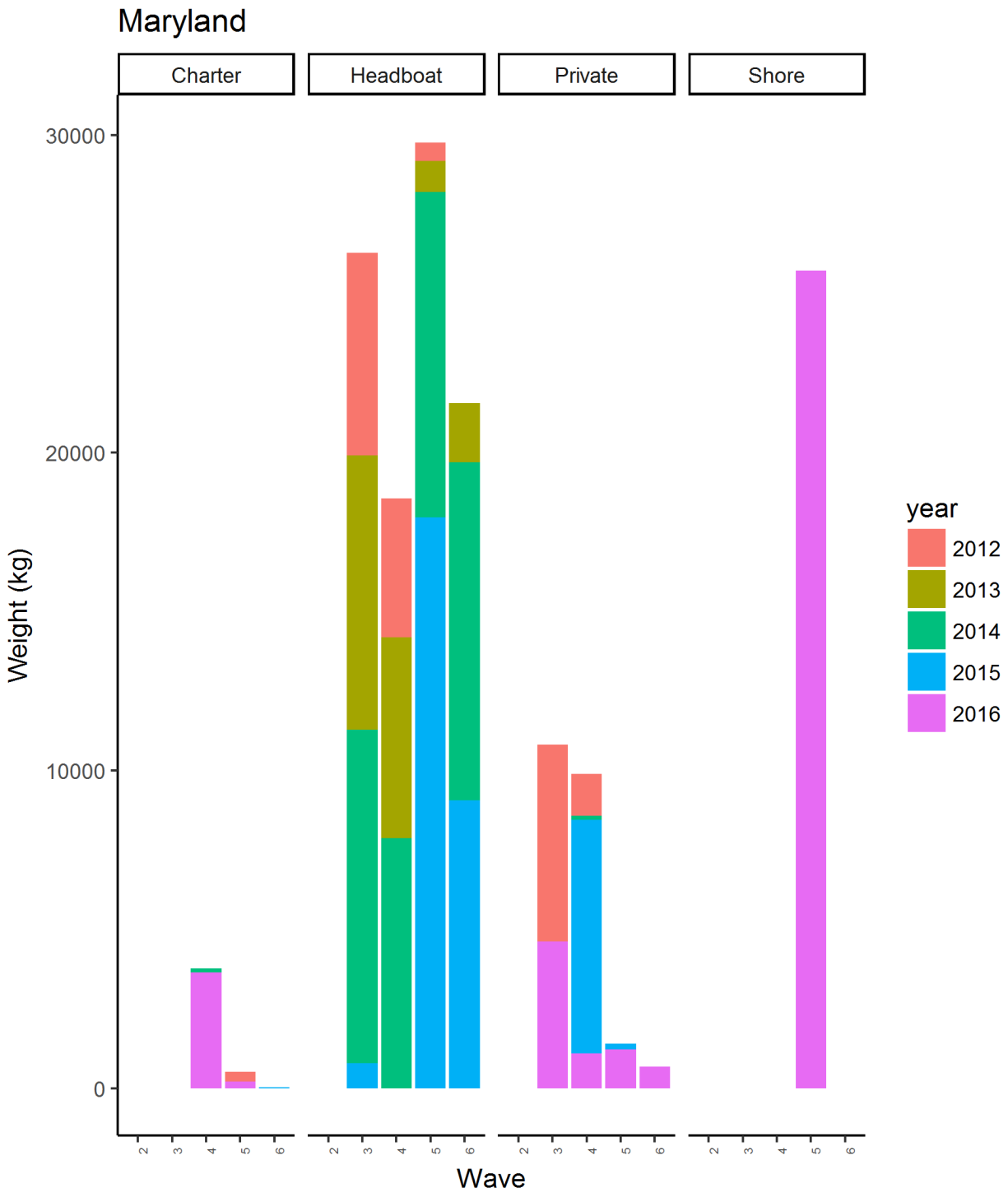
Maryland
Charter
Headboat
Private
Shore
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Weight (kg)
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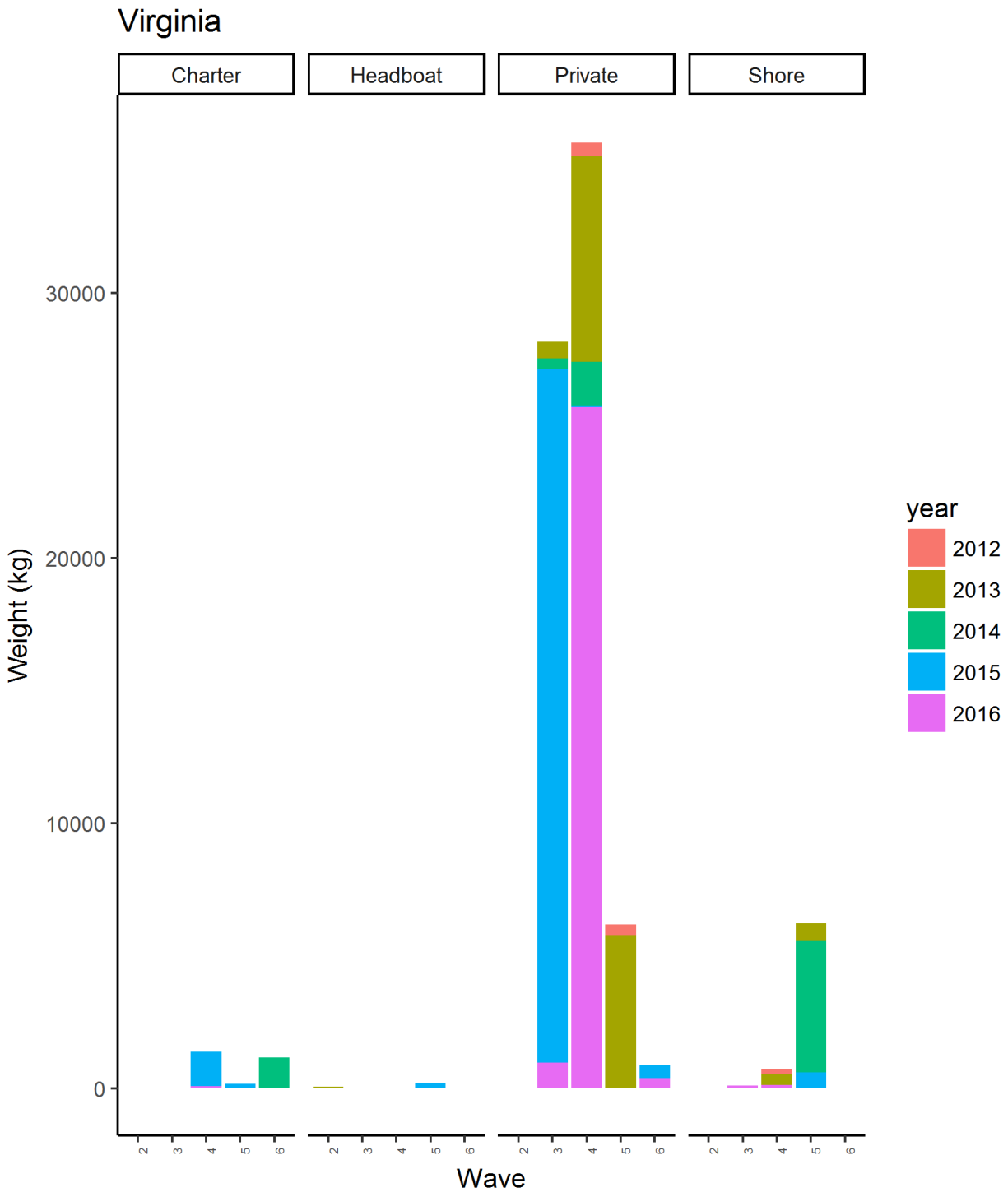
Virginia
Charter
Headboat
Private
Shore
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Weight (kg)
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Wave
year
2012
2013
2014
2015
2016

NY BSB summary from 2012-2016
- MRIP data -

April 12, 2017

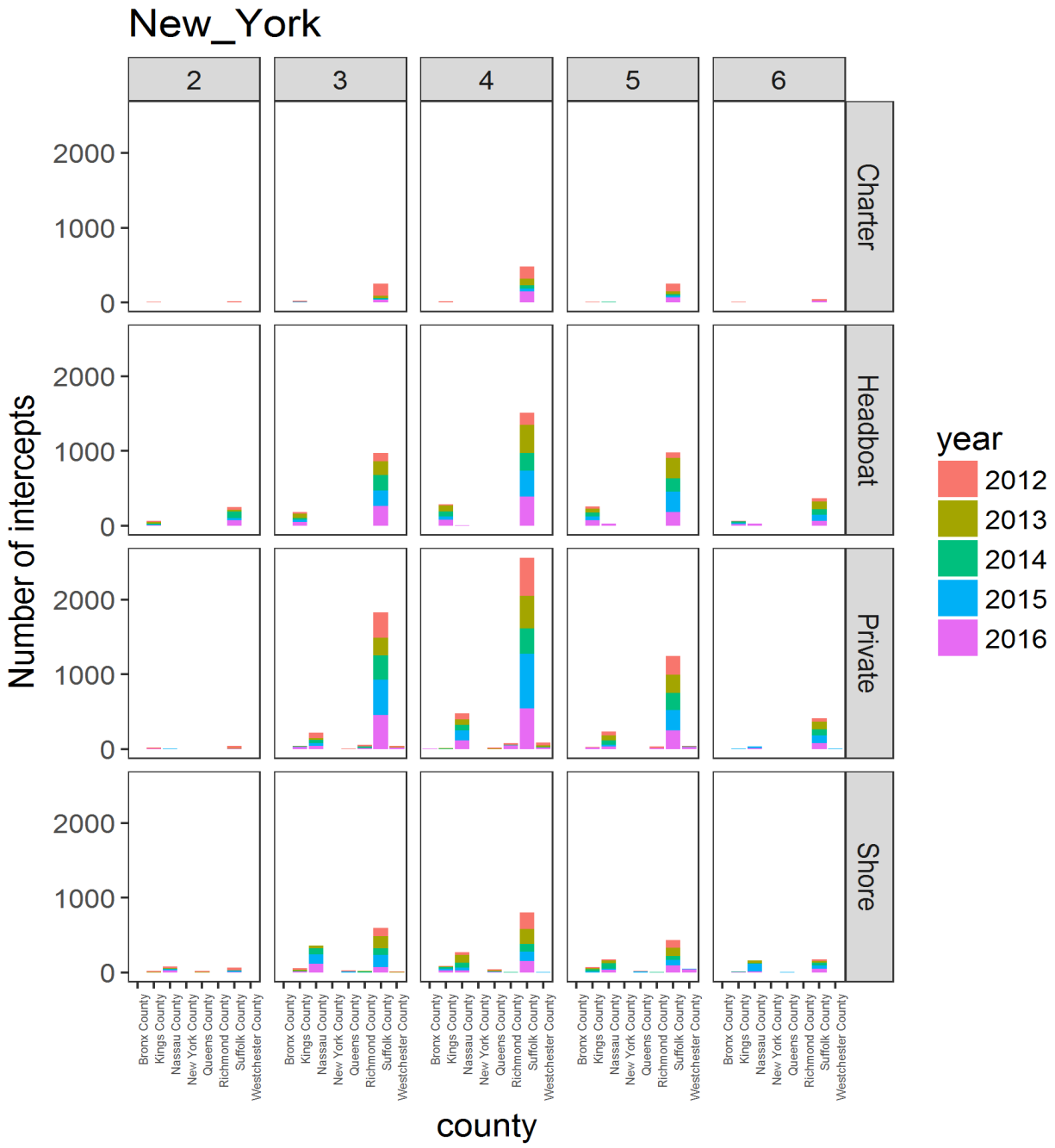
The total number of intercepts is pulled from the MRIP data, using id_code as the unique identifier, and aggregating by year, wave, county, and mode_fx. These intercepts may not have had any catch.

		State									
Mode_fx	**Year**	ME	NH	MA	RI	CT	NY	NJ	DE	MD	VA
Charter	2012	222	315	493	237	270	517	341	629	320	271
Charter	2013	86	106	173	100	48	177	55	155	106	87
Charter	2014	227	270	396	695	62	84	189	130	263	71
Charter	2015	106	166	504	458	31	74	109	169	231	95
Charter	2016	150	307	489	422	126	284	137	219	637	177
Headboat	2012	264	717	1172	236	272	511	905	607	588	460
Headboat	2013	162	815	1490	539	357	1187	1353	515	509	801
Headboat	2014	227	766	1227	663	221	954	1292	595	753	599
Headboat	2015	147	702	1224	691	257	1068	1083	834	647	636
Headboat	2016	235	825	1297	787	773	1308	1144	641	1143	943
Private	2012	627	778	1407	737	812	1560	1435	1278	1128	1803
Private	2013	457	443	3438	654	833	1218	1319	2411	1390	2169
Private	2014	906	674	2417	550	1190	1212	2621	1932	1652	2185
Private	2015	748	586	2888	708	1166	1841	2775	2422	1371	2393
Private	2016	639	681	1888	554	2106	1762	1878	1407	2034	2243
Shore	2012	462	570	661	823	385	698	775	746	495	470
Shore	2013	582	285	1421	640	210	790	899	2156	855	778
Shore	2014	417	280	748	604	340	606	1136	1694	552	590
Shore	2015	405	258	541	573	330	783	1277	1508	509	563
Shore	2016	533	239	739	389	508	737	978	1083	847	766

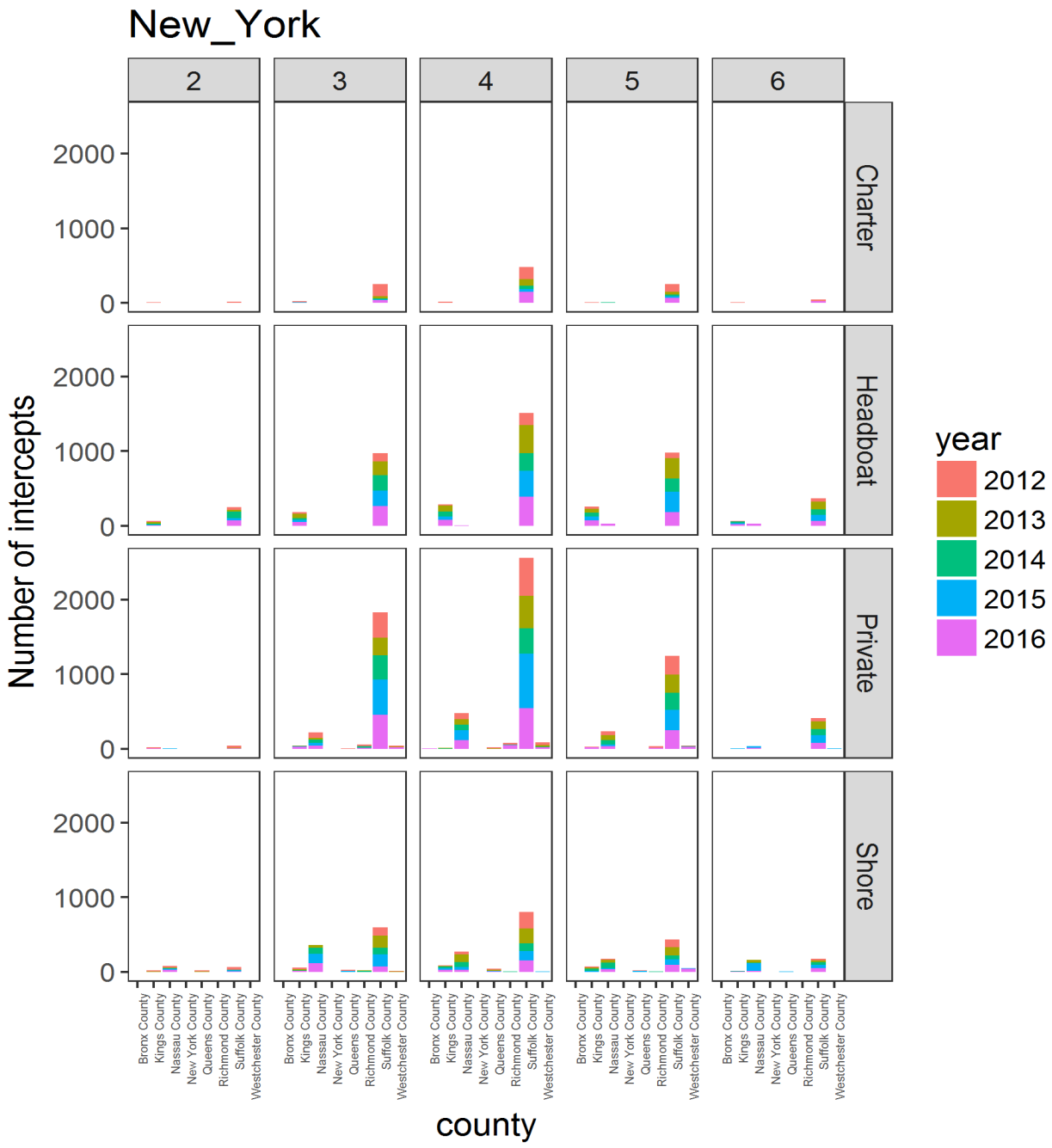
All intercepts 2012-2016

Visual summary of MRIP intercepts by year, county, wave, and mode (charter, headboat, private, shore). These are data exclusively from the trip .csv files and are irrespective of target, harvested or discarded species; simply the total number of intercepts.

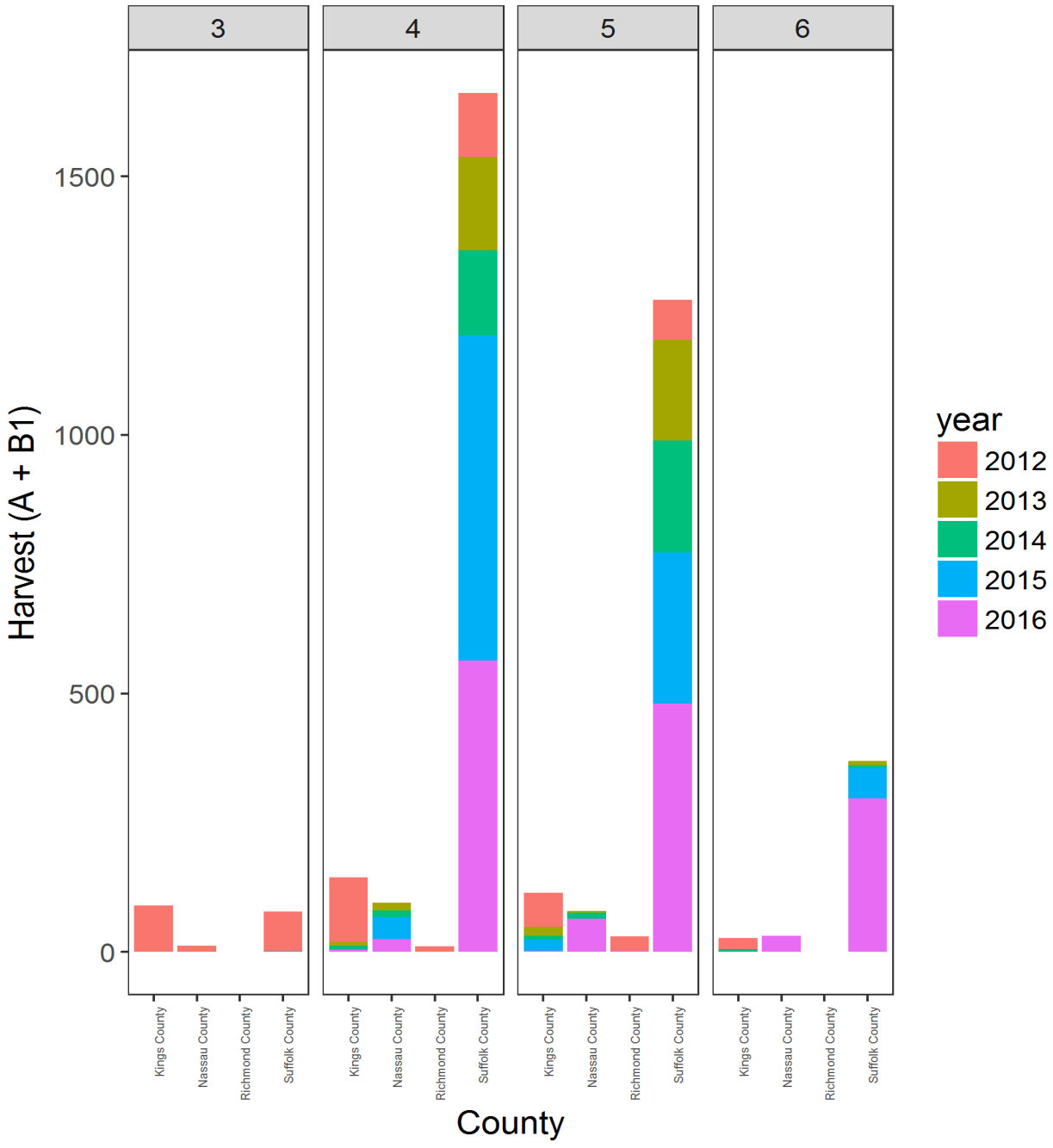
This is just for NY:



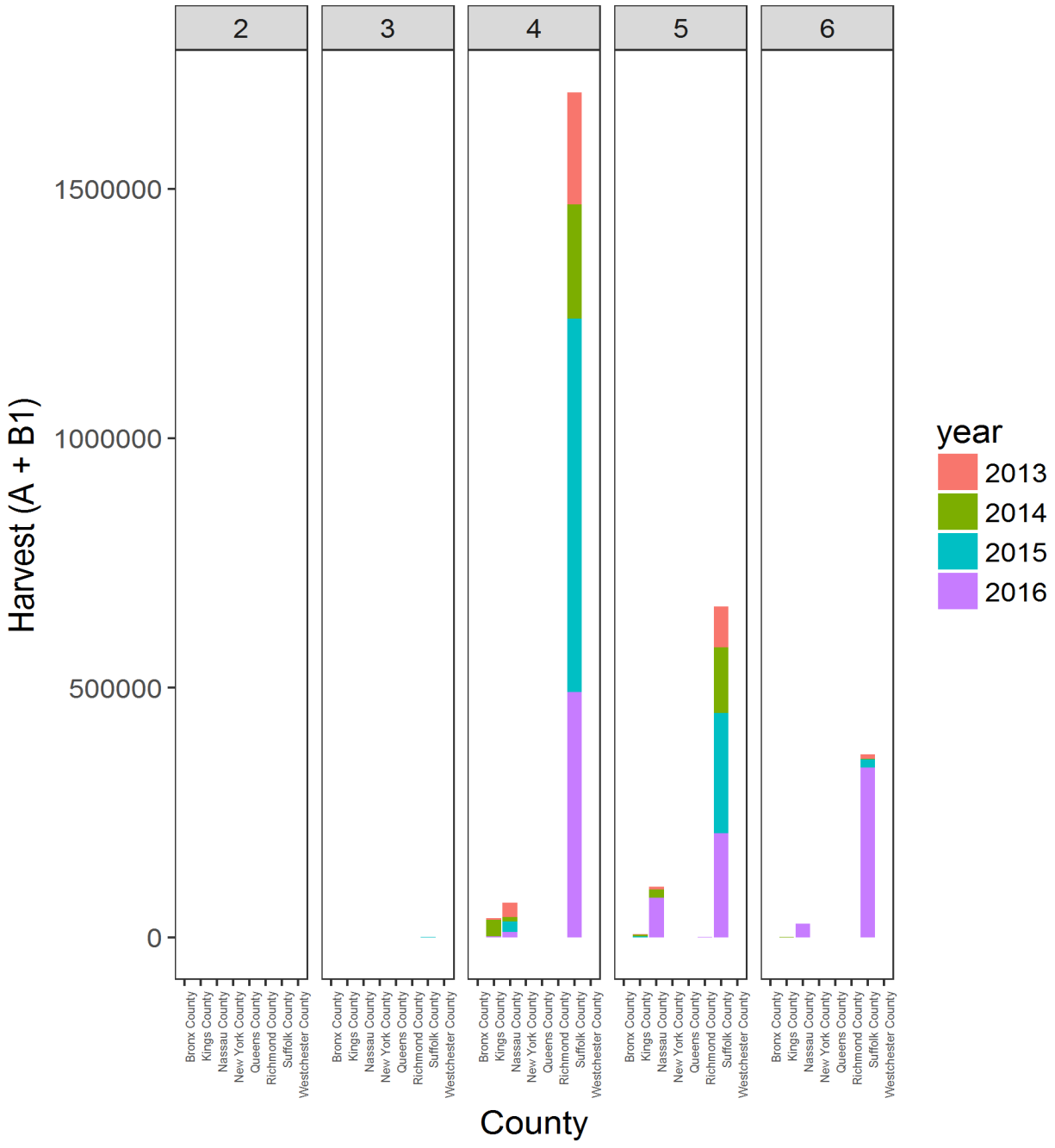
Number of intercepts that reported BSB either harvested or discarded for NY.



Raw harvest data for BSB from NY (i.e., harvest.A.B1) by wave and county.



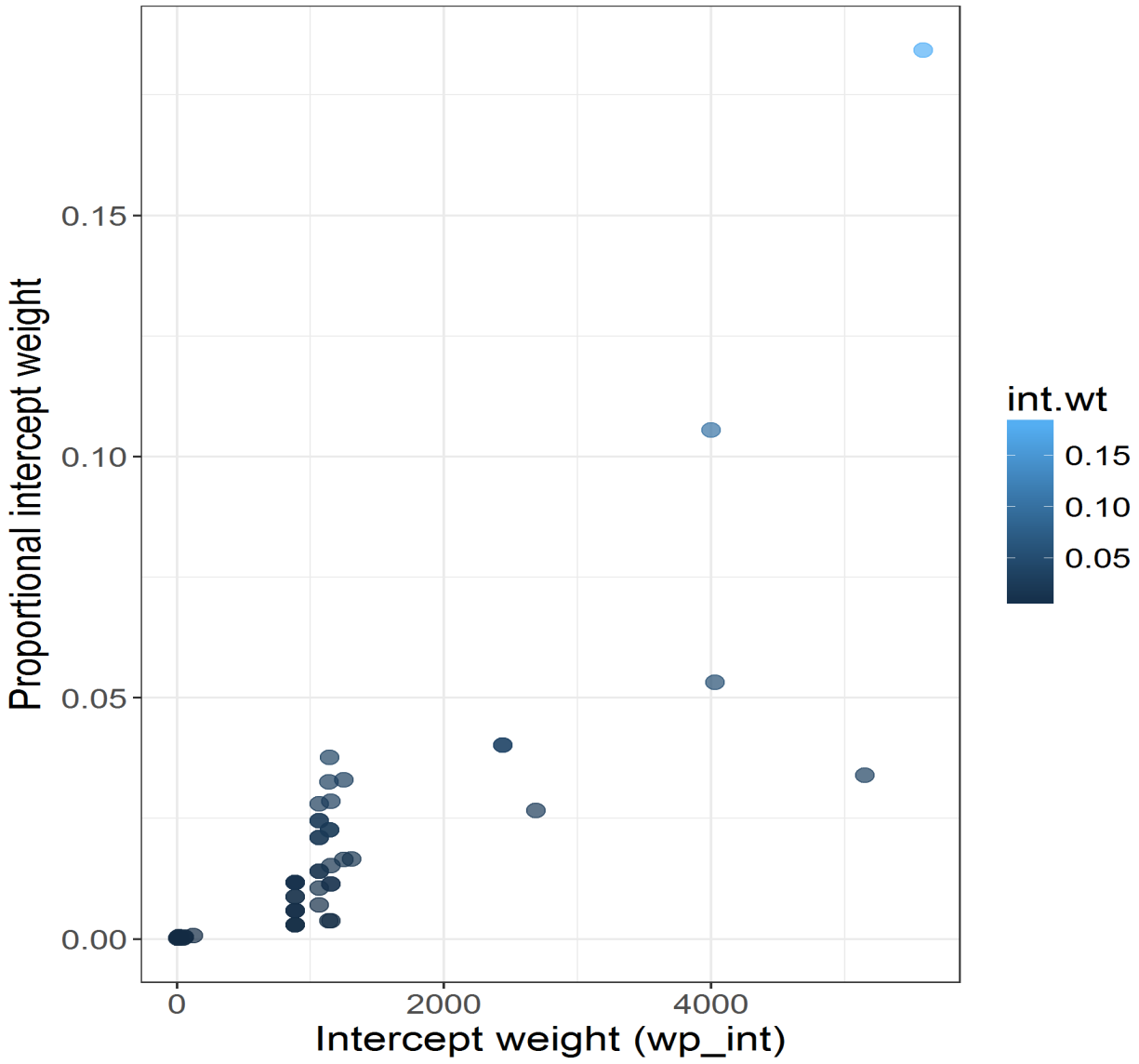
Expanded catch data for BSB from NY (i.e., harvest.A.B1 * wp_int) by wave and county.



Raw harvest data (harvest.A.B1) for BSB from NY for wave 6, from 2012-2016.

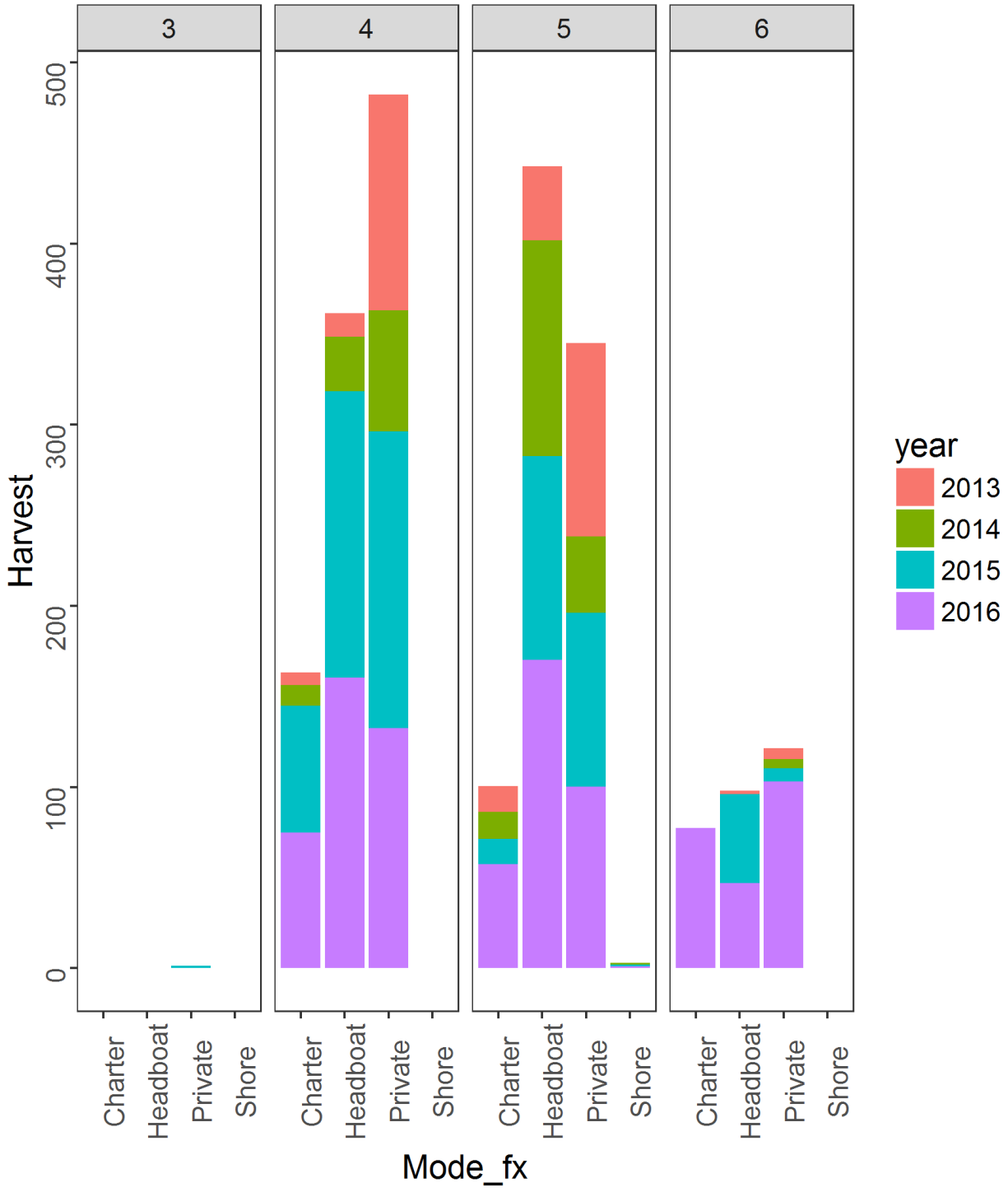
mode_fx	2012	2013	2014	2015	2016
Charter	21	0	0	0	94
Headboat	0	2	6	49	80
Private	0	6	6	9	154

Individual intercept weight for NY in wave 6, from 2016. Total number of intercepts during this wave was 56, but approximately 30% of the weight was assigned to 2 intercepts, one with 8 fish harvested, the other 10 (both from Suffolk County). The two intercepts that made up about 30% of the intercept weight were both private trips.



Harvest (A + B1) PSE for NY is about 16% for the year, all modes and waves combined. If you break it down by mode and wave, all PSEs are higher, ranging from 17.4-89.7.

Total (raw) BSB harvest reported by MRIP by wave and mode in Suffolk County, NY, with years indicated by different colors.



In Suffolk County, NY - total number of intercepts by year, wave, and mode_fx.

wave	mode_fx	2012	2013	2014	2015	2016
2	Charter	281	37	31	65	140
2	Headboat	318	310	422	283	565
2	Private	710	321	374	492	595
2	Shore	563	477	436	325	451
3	Charter	977	205	696	483	770
3	Headboat	1477	1966	1974	1891	2100
3	Private	2937	3651	4792	5157	3947
3	Shore	1557	2309	2210	2145	1794
4	Charter	1133	483	1211	990	1222
4	Headboat	2334	3302	2908	3144	3347
4	Private	4628	6399	6253	7114	4978
4	Shore	2088	3783	2573	2516	2241
5	Charter	801	239	353	287	492
5	Headboat	1323	1754	1627	1542	1716
5	Private	2358	2709	2588	2675	2374
5	Shore	1407	1475	1308	1044	1272
6	Charter	384	74	48	72	176
6	Headboat	246	362	328	395	585
6	Private	892	1243	1290	1388	1187
6	Shore	444	549	415	684	548

In Suffolk County, NY - the number of intercepts with BSB catch across the past 5 years:

wave	mode_fx	2012	2013	2014	2015	2016
2	Charter	12	0	0	0	0
2	Headboat	35	24	87	32	74
2	Private	27	5	2	1	6
2	Shore	34	4	5	16	5
3	Charter	162	35	13	4	41
3	Headboat	107	190	206	203	268
3	Private	342	233	331	467	459
3	Shore	111	160	85	164	74
4	Charter	159	94	41	35	150
4	Headboat	160	374	238	343	394
4	Private	512	432	339	735	544
4	Shore	219	198	105	125	154
5	Charter	108	39	19	22	67
5	Headboat	75	274	175	270	188
5	Private	251	239	232	272	251
5	Shore	102	112	56	72	94
6	Charter	20	0	0	3	22
6	Headboat	43	105	70	78	70
6	Private	44	103	84	104	80
6	Shore	26	20	39	44	49

Kirby Rootes-Murdy

From: Kevin Slattery <kevineslattery@gmail.com>
Sent: Tuesday, May 02, 2017 3:45 PM
To: Kiley Dancy; Kirby Rootes-Murdy
Subject: Level the playing field for Massachusetts Charter Captains ...

Black Sea Bass Board Members,

My name is Kevin Slattery and I am a Charter captain from Onset Massachusetts. Most of my business for the past 10 years has been taking people out fishing for Porgies and Black Sea Bass. I am writing the board in regards to the 2017 Black Sea Bass Allocation.

Last year (April 2016) when the states in the Northern Sector put forward their regulations to create a 23% cut , I and virtually everyone I spoke to, recognized that the regulations put forward by Connecticut and NY were not going to result in a cut. It was obvious they were not intended to. They were designed to create the biggest possible overage, which would then be kept when the new fish from the 2016 stock assessment were added. This is exactly what happened. Connecticut, for example, put forward regulations that the 'technical committee' approved that resulted in a **100% increase** when they were supposed to cut 23%. Anyone with any sense of what was going on saw this coming a mile away. You, the members of the Black Sea Bass board, saw this happen just as you saw New York come up with regulations that put them 300+% over the year before. The Idea that a one inch increase in fish size could somehow drastically cut the number of fish caught was so obviously wrong that anyone could see it.How could no one have asked the question"will effort increase ?" Did you, members of the Black Sea Bass Board, think of this question. I think you must have, but chose not to ask it. How did the 'technical committee not think to ask this question ?

The system of 'ad hoc regional management' was a complete failure at fairly distributing the resource between the states.This is possibly the only fishery management plan ever designed that has incentives to exceed your quota. (The commercial side of the Black Sea Bass fishery for this area has sensible rules that take last years overages off of this years state quota.) I can only only guess that the idea was to have the 'technical committee' act as a check on total quota grabbing. They have failed miserably. Think about being 123% off . Are you members of the Black Sea Bass Board going to endorse this horrible 'science' by continuing with 'status quo'. Are you going to legitimize the quota grab that has happened over the 'ad hoc' years?

Please look at the 2017 regulations of the states in the Northern Sector. I will put them of the bottom of this letter. Note that I, as a 'for hire' captain in Massachusetts have a 3 month and 9 day season of 5 fish. A Captain in my neighboring state of Connecticut has 8 MONTHS of 8 fish me and gets to start 3 weeks before me. He will continue fishing for 4 MONTHS after we are closed. (He gets to do this because the 'technical committee' approved a plan that resulted on a 100% increase in Connecticut's quota last year) When NJ opens Black Sea Bass season in May they will be able to catch 10 fish (at 12") . When the NY captains are making money during (the mysterious) wave 5 and 6 I will have been out of business for months. This is not fair.

On the question of fairness, I draw your attention to the ASMFC Charter for Interstate Fishery Management Plans. This document can be found on the ASMFC website. Evev casual reading of this document raises questions about how the entire Black Sea Bass management plan is handled. Has anyone considered the socio-economic impacts? Why is there no public notice? The section that does not raise any question, though, is the one I would like you to look at.

Section Six. Standards and Procedures for Interstate Fishery Management Plans

(7) Fairness & equity. (ii) Fishery resources shall be fairly and equitably allocated or assigned among the states.

Members from the MAFMC are similarly guided by the mission statement in 2014 - 2018 Strategic Plan
Strategy 14.5. Develop management strategies that ensure fair access to recreational fisheries throughout their range.

Also one of the "Core Values" listed is "Fairness"

In the oath that members take is the following "I recognize my responsibility to serve as a knowledgeable and experienced trustee of the Nation's marine fisheries resources, being careful to balance competing private or regional interests"...."I commit myself to uphold the provisions, standards, and requirements of (the) Magnuson-Stevens...Act"

This seems pretty straightforward. Your organizations are chartered to 'fairly and equitably' allocate resources. Can you, members of the Black Sea Bass board stand behind 'status quo' regulations and say they are 'fair and equitable'? I, personally, wouldn't want to try.

You , the Black Sea Bass board, are also being asked to consider an "experimental" fishery for waves one and two. This is obviously yet another quota grab by large party boat interests in NY. It would be absolutely wrong on a lot of levels for this board to

even consider this nonsense. New York at this time has a completely outsized share of the Black Sea Bass resource.Look at the numbers. NY wants to add 60 new days at 15 fish.Massachusetts only has a total season of 3 months at 5 fish. Particularly unbelievable is the part about 'no discards'. Does anyone think this is going to happen? Who is going to be watching ? Will there be monitors on board? This board cannot in good conscience transfer more quota to NY when the regulations are this lopsided already. Do they really need to catch 15 fish for this experiment? We are catching 5 fish here in Massachusetts, and that is considered enough for us. Please also note that unlike most of the regulations on Black Sea Bass , there is time for public comment on this. Hearings need to be held in each state that will be losing quota. We are talking about next year.

For at least the second year in a row wave 5 and 6 data was provided 'too late' to do anything except 'emergency' action based on 'estimates'.These estimates were never available for public comment. Immediately after achieving the goal of 'status quo' on the ad hoc quota grab, the real numbers came out. This is an obvious manipulation of the system. We are talking 4 months here since the season closed. These numbers could not be added up in 4 months and no one has a problem with that? Black Sea Bass Regulations are still on the table now in May. Do what your charter instructs you to do and create a fair allocation between the states. Close down wave 6 if the data cannot be available in time to make the next years decisions. (Spread that quota around.)

Massachusetts fishermen have a long history of switching from one fishery to another to stay in business. Whaling to whale watching. Cod to haddock. Flounder to Fluke,etc. Unfortunately we are out of choices in the recreational sector. Fluke is down one fish and up one inch for absolutely no reason. Porgies are cut from 100 to 45 even while they are under harvested. We have a bag limit of 0 on Cod.(North of the Cape) Striped bass are down to one and we don't have the opportunity to play games with 'tags' or 'trophy fish'.What are we supposed to fish for, slime eels, dogfish, perriwinkles?As a side note, unlike other states where it is up to the customers whether or not they want to comply with the law, Massachusetts holds the Captain of a for hire vessel responsible for what is caught on his boat, and they do issue fines. Black Sea Bass are an overabundant fish . There is no reason except politics and bad science for Massachusetts to not have the same regulations as other states, (such as Connecticut)

Board members, You still have time to do the right thing here.You can either comply with the clear mandates of your respective charters,or not. If you do not, please do not expect me, or the other for hire Captains in Massachusetts to quietly go out of business so out of state fishermen can continue to make money.They certainly wouldn't and neither would you. Do the right thing.

Kevin Slattery
F/V Maureen Ann
Onset MA.

CONNECTICUT

Black Sea Bass: 15-inch minimum (Excluding Tail Fin Filament/Tendril), 5 fish bag limit, Open May 1 to December 31 *FOR HIRE * 8 FISH May 1 to December 31 (Pretty fair)

Massachusetts

Black Sea Bass: May 21 – August 31, 5 fish, 15-inch minimum (Pathetic)

New Jersey

Black Sea Bass: 12-1/2” minimum open 5/26-6/18 (10 fish); 12-1/2” minimum open 7/1-8/31 (2 fish); 12-1/2” minimum open 10/22-12/31 (15 fish) (Made to order for the big boats. Private anglers should be screaming)

New York

Black Sea Bass: 15" minimum size; 3/angler, June 27 - Aug 31; 8/angler, Sept 1 - October 31; 10/angler Nov 1 - Dec 31. (Same as above plus little to no enforcement)

Rhode Island

Black Sea Bass: 15-inch minimum. May 25 – August 31, 3 fish. September 1 – September 21, 7 fish. September 22 – October 21, CLOSED. October 22 – December 31, 7 fish. (Rough)