

From: [Robert Beal](#)
To: [Tina Berger](#); [Caitlin Starks](#); [Toni Kerns](#)
Subject: FW: Hello from Jim Dawson
Date: Monday, July 29, 2019 2:47:06 PM
Importance: High

Hi All,

Please include the following comments from Jim Dawson in supplemental materials for the Summer Flounder, Scup, and Black Sea Bass Board.

Thanks,
Bob

From: Jim Dawson [mailto:jimdawson1@verizon.net]
Sent: Monday, July 29, 2019 1:58 PM
To: Robert Beal <Rbeal@asmfc.org>
Subject: Hello from Jim Dawson
Importance: High

Hey there Bob, been very busy since the passing of my mother, but we have a few very important items that are approaching quickly:

With respect to black sea bass: If the ASMFC feels that they can take away fish from those of us in the southern regions, I personally request that their be MUCH more of a "thorough" examination based on a "broader" amount of evidence that can and should be added to scientific input. Case in point "VTR records" specify where the fish are caught and in what wave. We also have "quota" information for exactly who caught what and where they caught it in what quantities. We MUST also keep in mind that currently when markets get flooded as they are when Massachusetts opens from July until they close and when certain trawl seasons open, the fishermen who CAN catch a large sum of sea bass, tend to NOT fish during the low market price time frames. This is a VERY serious problem, not from availability of sea bass, but from an economical impact problem forced on the coastal fishermen based from an ASMFC distribution without FULLY understanding market impacts and resulting sets of issues related to exactly how Massachusetts and others decide to spread their own percentage of sea bass quotas. Giving MORE will result in furthering the lengths of time the markets receive a lower priced sea bass which will also destroy how many more fishermen from how many other states? These states SHOULD have an ultimate decision due to the negative impacts this would have on their own fishermen! We who are involved in this fishery 12 months out of each year know and "fully" understand and can assist with a possible solution.

Current prices for black sea bass place "medium, large and jumbo" prices below (2) dollars. As Massachusetts mismanages its sea bass fishery, they create a "coastal problem" whereas they single handedly create a "hardship" for EVERY sea bass fisherman in every other state. One must ask: Is this fair to all the other states fishermen? These "northern" fishermen MUST BE "part-time"

fishermen within this fishery because they ONLY fish for them in small quantities and do NOT supply the markets with fish 12 months. They fish for two months and exactly why is the ASMFC wanting to create more headaches, take away from the real full time fishermen for those who historically have nothing to show nor provide to/for our country. Perhaps we should look into exactly who makes a living from fishing? Place certain protective measures for those of us who's families are "fully dependent" on fisheries and provide the freshest seafood for our own nation? Currently why are we importing so much seafood? PROTECT OUR FULL-TIME FISHERMEN! You guys have the power to help us! Don't help those who just do this for extra side money...my family is TOTALLY dependent on what I harvest!

You all can't justify taking from those of us who have absolutely no problems catching our sea bass quota and who have done so without problems other than market pricing based from giving too much to those states who don't give a damn about anyone! We don't need to give them more without substantial evidences that justify taking away from those who are dependent...what is that called when our government warrants doing this? I'd be REAL careful if I were sitting in a "voting position" and I placed my name voting to "take away" from those of us who have done nothing wrong! Those names will be collected...trust me. This leaves the ONLY option Bob to allow for extra given when a stock level is reached that is "above" a level that was "originally granted". Once the stock reaches a 100% level, it is ONLY then that extra can be granted to the northern states but also at a "fair distribution" which again should look into exactly who is catching and at what levels during what months.

#1) We should attempt to work better between fisheries management and the fishermen who are left, to not only manage the fisheries, but to reach an agreement with everyone based on ALL AVAILABLE factual information, not just a very limited random amount of questionable information.

- a.) I have NOT had ANY issue catching my personal state quota of black sea bass with my VTR landings to back up my statements.
- b.) ONLY price stops me from having the ability to pay for my expenses, NOT availability of black sea bass. (Currently, northern states negatively impact my ability to catch fish 4 months out of each year by dropping prices below expense levels. Sometimes it is as much as 6 months.)
- c.) Southern stocks of black sea bass have also grown larger based on VTR landings/state landings per time/wave period. (Mark Hodges VTR data can be used as well.)

#2) Given the fact that it would be and should be legally unadvisable to "take away" from those of us sea bass fishermen in the southern region based on a very suspect and very limited amount of time based information, perhaps it would be a better solution to allow for these other northern states to receive extra ONLY when stock assessment are at a higher point than a level from where the stock amount was first and originally set to award each state the percentages they received.

- a.) Set up a "trigger" at a level the states ALL can agree on, not based on stock expansion, but "overall" stock growth with use of ALL data references.
- b.) Develop a new system for information that includes VTR records that date back 20 years now to count for 25% or more of a coordinated stock assessment plan.
- c.) Data from the "observer program" shall also be included within ANY assessment

(or that program should not be warranted, forced on the fishermen, nor funded!)

- d.) Why are we still ONLY using an outdated and flawed trawl survey for stock assessments when we have so much more information available to us today?

#3) The opening of “wave one” should stop until Virginia has “proven” that ALL landings were in fact reported. I personally have enough evidences to verify that law enforcement was not present nor did they report their state landings according to what was posted “on-line” and within “Facebook” posts. MANY recreational fishermen fished without reporting and/or obtaining the appropriate state permit. I have pictures of the vessels and also reported them with only (1) receiving a supposed fine. Landings MUST be accounted for. It is my 100% belief that I alone can verify that the state landings were three to four times higher or more than what was reported based on my particular evidence sets.

- a.) Northern states have watched the negligence of Virginia and now have planned to send more and more of their fishermen to “over-exploit” the resources along our Mid-Atlantic coast during wave one. The sea bass caught were of ALL a certain older class seen ONLY within waves one and two.
- b.) Impacts, economical and resource are extremely detrimental to that fishery even more-so as “climate changes” have altered the migratory patterns. (We should address this BEFORE it becomes a further set of problems.) Please close wave one until Virginia can verify all aforementioned truths can result in an accurate accounting of what has been caught...it cannot be justified to allow for discrimination and cheating to occur with open seasons for one state and not for all states. Due to Virginia having so many “private docks” and so little law enforcement to protect against such “cheating”, it results in everyone to become extremely agitated at those who allow it to occur.

I’d like to see a result that could accommodate ALL of us and NOT take away from anyone who totally depends on this resource such as myself 12 months out of a year. As it currently stands, Massachussetts totally destroys the market for ALL sea bass fishermen until they close. It is my FIRM belief that federal law enforcement is NOT currently reviewing exactly how many black sea bass are entering EACH market and has NOT enforced current regulatory measures based on what market prices and information the marketplace has stated each dealer and sales market has available....the numbers just do NOT add up at all Bob! Prices do not drop that low even when the trawl fleet lands incredibly large amounts...something is really wrong and nobody is apparently looking? Because nobody looks, they cheat! Landings totals do NOT match what is within the marketplace. Let’s see if we can fix this as well.

If the ASMFC attempts to unfairly take away quota from the fishermen who have done nothing wrong and have had no issues with catching their quotas, then perhaps the ASMFC must be reminded that our federal government CAN step in and award the fishermen from the EEZ their own quota based on their catch histories as we had fished based on VTR landings for the past 20 years. It probably would also NOT include such a time frame where there was “limited quarterly quotas”, but would represent how fish were caught during time frames. This may not fair the northern states well. Sea Bass is a “federal species” and it is my belief that ASMFC best be extremely careful with

respect to not over-step their boundaries.

I have a lot of years as you know, with no disrespect meant when I speak. Our “leaders” must lead or they don’t deserve their respective positions!

James E. Dawson.

Options for consideration by Black Sea Bass Commercial PDT

CT DEEP

5/13/2019

****Updated 7/28/2019 Table 1****

Option 1: Address Connecticut's disproportionately small allocation of the coastal quota

Connecticut has experienced a substantial increase in abundance of black sea bass in state waters over the last seven years (see Fig. 1 below). This increased resource availability has rendered Connecticut particularly disadvantaged by its current low allocation of the coastal quota (1%). This option addresses the disparity between abundance of black sea bass in Connecticut waters and Connecticut's quota allocation by increasing Connecticut's allocation to 5%, using the following approach:

- 1) Hold NY and DE allocations constant
 - a. NY has experienced a similar substantial increase in black sea bass abundance in state waters; therefore, it would not be appropriate to reduce their allocation.
 - b. DE current allocation is 5%. As a "control rule", this option does not seek to make CT percent allocation larger than any other state.
- 2) Move 1/2 of ME and NH quotas to CT.
- 3) Move MA, RI, NJ, MD, VA, and NC allocation to CT. The amount moved from each state is proportional to that state's current percent allocation.

Figure 1 CT Long Island Sound Trawl Survey Spring Black Sea Bass Index.

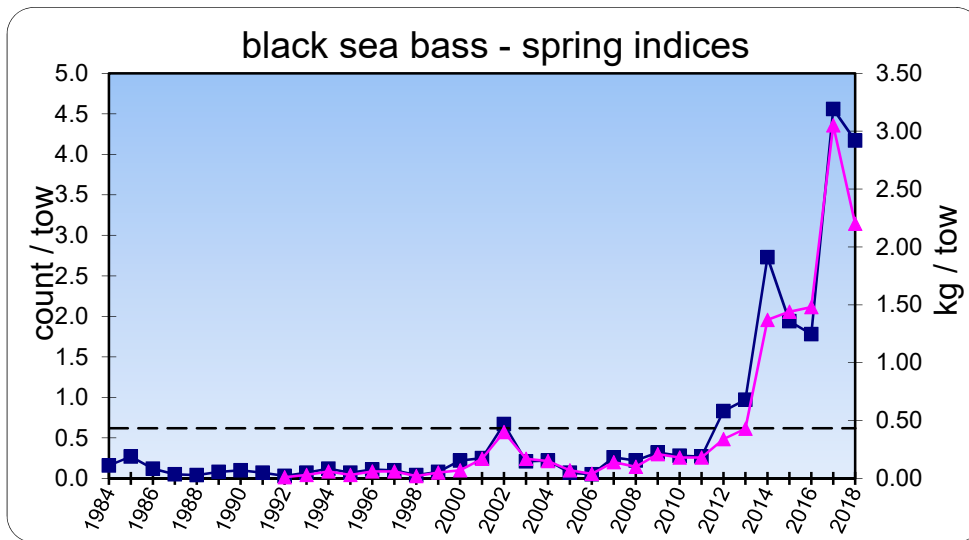


Table 1. Proposed changes in base allocations

| State | Current % Allocation | Change in % Allocation | New % Allocation |
|--------------|-----------------------------|-------------------------------|-------------------------|
| ME | 0.5% | -0.2500% | 0.2500% |
| NH | 0.5% | -0.2500% | 0.2500% |
| MA | 13.0% | -0.5291% | 12.4709% |
| RI | 11.0% | -0.4477% | 10.5523% |
| CT | 1.0% | 4.0000% | 5.0000% |
| NY | 7.0% | 0.0000% | 7.0000% |
| NJ | 20.0% | -0.8140% | 19.1860% |
| DE | 5.0% | 0.0000% | 5.0000% |
| MD | 11.0% | -0.4477% | 10.5523% |
| VA | 20.0% | -0.8140% | 19.1860% |
| NC | 11.0% | -0.4477% | 10.5523% |

Option 2: Trigger option with adjustment of “base” allocations on an annual basis

This option uses a 3 million pound “trigger” while also incorporating the spirit of the TMGC approach (dynamic adjustment of allocations over time with consideration of resource availability and previous allocation regime). This option uses the following decision tree to allocate quota within a given year:

- 1) If the coastal quota is less than or equal to 3 million pounds:
 - a. Allocate quota using the previous year’s state allocation percentages.
- 2) If the coastal quota is greater than 3 million pounds:
 - a. Allocate 3 million pounds of quota or “base” quota using the previous year’s state allocation percentages.
 - b. Allocate the remaining quota or “surplus” (amount above 3 million pounds) as follows:
 - i. Split surplus quota to north vs. south region according to proportion of available biomass in each region (ME-NY = north region; NJ-NC = south region).
 - ii. Further sub-divide surplus quota within each region according to existing intra-regional proportional allocation.

This option provides the following benefits:

- 1) By employing a 3 million pound trigger approach, ensures that there will not be substantial decrease to southern region state-by-state allocations in immediate future.
- 2) This option directly incorporates data on distribution of the resource. The proportions of available biomass in each region could be obtained from a periodic stock assessment, or could be determined annually using fishery-independent survey data.
- 3) This option allows state-by-state allocations to evolve over time as resource availability shifts (either north to south, or south to north). The rate of allocation shift is accelerated during periods of high resource availability (high quotas), and effectively “pauses” during periods of low resource availability (quotas below 3 million pounds).
- 4) Overall, year-year changes in state allocations will be moderate – only the “surplus” quota above 3 million pounds will be “shifted” in any one year. The allocation of the “base” quota of 3 million pounds will be the same as the previous year.

The attached Excel spreadsheet can be used to model outcomes during 2021-25 under various scenarios of regional resource distribution, coastal quota, and trigger points. The spreadsheet assumes 2021 implementation of the new regime; the 2020 quota is allocated according the existing state-by-state allocations.

- Use cells I3 through I7 to adjust annual north vs south biomass distribution.
- Use cells K3 through K7 to adjust annual coastwide commercial quota.
- Use cells L3 through L7 to adjust the trigger.



Atlantic States Marine Fisheries Commission

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MEMORANDUM

TO: Summer Flounder, Scup and Black Sea Bass Management Board
FROM: Caitlin Starks, FMP Coordinator
DATE: July 30, 2019
SUBJECT: Review of Summer Flounder, Scup, and Black Sea Bass Discard Mortality

Per an interest expressed by several members of the Summer Flounder, Scup and Black Sea Bass Management Board (Board), the Board will discuss discard mortality at the 2019 ASFMC Summer Meeting. The purpose of the discussion is to review current information on discard mortality rates in the fisheries, and determine if there is a Board desire to address the issue of discard mortality in any particular fisheries. Areas the Board may wish to address are outlined below, though additional areas could be identified.

- Species-specific discard mortality (summer flounder, scup, and/or black sea bass)
 - Sector-specific discard mortality
 - Recreational discard mortality
 - Recreational discards (quantity)
 - Discard mortality rate
 - Commercial discard mortality
 - Commercial discards (quantity)
 - Discard mortality rate
 - Gear-specific discard mortality

If the Board chooses to pursue this topic it should define specific focal areas, as well as the preferred approaches for addressing the issue. Potential approaches for addressing discard mortality could include policy or regulatory changes, education, or research. Depending on which approaches are most appropriate for a given issue, the Board should also consider the appropriate committees to task with necessary analyses and/or strategy development.

The following information on commercial and recreational discard mortality is intended to aid the Board's discussion of the issue for all three species, though the examples mainly focus on black sea bass. All recreational information is based on recalibrated data from the Marine Recreational Information Program (MRIP). Commercial information was provided by the Northeast Fisheries Science Center (NEFSC).

Estimation of Dead Discards

A number of factors can effect discard mortality. The actual mortality rate of discarded fish can be impacted by gear type, depth fished, water temperature, handling time, trauma, and fish size, among other potential variables. Estimates of dead discards are a product of assumed discard mortality rates and estimated discards. The methodology for estimating discards differs by species and fishery sector.

As of the most recent Black Sea Bass Stock Assessment (NEFSC 2017) the assumed discard mortality rate for recreational black sea bass is 15%, based on a combination of academic studies evaluated for the

2016 Black Sea Bass Stock Assessment. For the commercial fishery, 100% mortality was assumed for discards from trawls and sink gillnets because of the depths fished and length of tow or soak time. Discard mortalities of 15% were assumed for pot and hand-line discards, with the rationale that depths fished generally resulted in minimal barotrauma and the volume of fish in a pot catch would result in minimal damage to released fish. Hand-line discard mortality was assumed equivalent to recreational discard mortalities. The assumed discard mortality rates for all three species and the average dead discards in each fishery as a proportion of total removals (equal to landings plus dead discards) for 2015-2017 are included in Table 1.

Over the time series of available data on black sea bass landings and discards, there has been a general trend of increased discards in both the commercial and recreational fisheries, relative to total removals (Figure 1, Table 2). In the last few years, the proportion of black sea bass commercial discards has increased, while the proportion of recreational discards has remained relatively steady. For summer flounder, the proportion of total removals comprised of commercial and recreational discards has also increased in the last several years, as total catch has trended downward along with decreasing catch limits (Figure 2).

Table 1. Summer Flounder, Scup and Black Sea Bass Commercial and Recreational Discard Mortality Rates and Recent Estimates. Source: 2019 Data Update for Summer Flounder and Personal Communication with NEFSC.

| Species | Recreational Discard Mortality Rate | Recreational Dead Discards as % of Total Removals in Pounds (average 2015-2017) | Commercial Discard Mortality Rate | Commercial Dead Discards as % of Total Removals in Pounds (average 2015-2017) |
|-----------------|-------------------------------------|---|--|---|
| Summer Flounder | 10% | 14% | 80% | 7% |
| Scup | 15% | 3% | 100% | 23% |
| Black Sea Bass | 15% | 15% | 100% trawls/gillnets; 15% pots/hand lines | 8% |

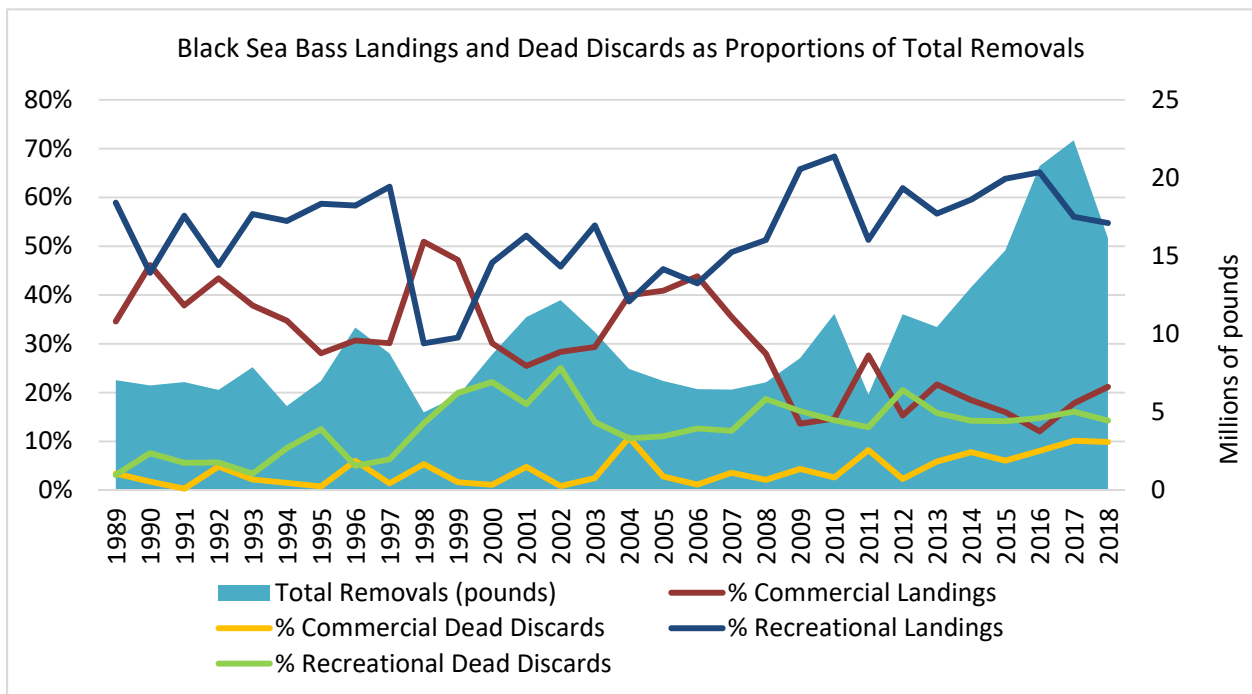


Figure 1. Black sea bass commercial and recreational landings and dead discards as proportions of total removals, compared to quantity of total removals in pounds from 1989-2018. Source: Personal communication with NEFSC, 2019.

Table 2. Black sea bass commercial and recreational landings and dead discards as proportions of total removals from 1989-2018, in pounds. Cells are highlighted on a scale of green to red indicating cell values low to high. All rows sum to 100%. Source: Personal communication with NEFSC, 2019.

| | % Commercial Landings | % Commercial Dead Discards | % Recreational Landings | % Recreational Dead Discards |
|------|-----------------------|----------------------------|-------------------------|------------------------------|
| 1989 | 35% | 3% | 59% | 3% |
| 1990 | 46% | 2% | 45% | 8% |
| 1991 | 38% | 0% | 56% | 6% |
| 1992 | 43% | 5% | 46% | 6% |
| 1993 | 38% | 2% | 57% | 3% |
| 1994 | 35% | 2% | 55% | 9% |
| 1995 | 28% | 1% | 59% | 13% |
| 1996 | 31% | 6% | 58% | 5% |
| 1997 | 30% | 1% | 62% | 6% |
| 1998 | 51% | 5% | 30% | 14% |
| 1999 | 47% | 2% | 31% | 20% |
| 2000 | 30% | 1% | 47% | 22% |
| 2001 | 25% | 5% | 52% | 18% |
| 2002 | 28% | 1% | 46% | 25% |
| 2003 | 29% | 2% | 54% | 14% |
| 2004 | 40% | 11% | 39% | 11% |
| 2005 | 41% | 3% | 45% | 11% |
| 2006 | 44% | 1% | 42% | 13% |
| 2007 | 36% | 4% | 49% | 12% |
| 2008 | 28% | 2% | 51% | 19% |
| 2009 | 14% | 4% | 66% | 16% |
| 2010 | 15% | 3% | 68% | 14% |
| 2011 | 28% | 8% | 51% | 13% |
| 2012 | 15% | 2% | 62% | 21% |
| 2013 | 22% | 6% | 57% | 16% |
| 2014 | 18% | 8% | 60% | 14% |
| 2015 | 16% | 6% | 64% | 14% |
| 2016 | 12% | 8% | 65% | 15% |
| 2017 | 18% | 10% | 56% | 16% |
| 2018 | 21% | 10% | 55% | 14% |

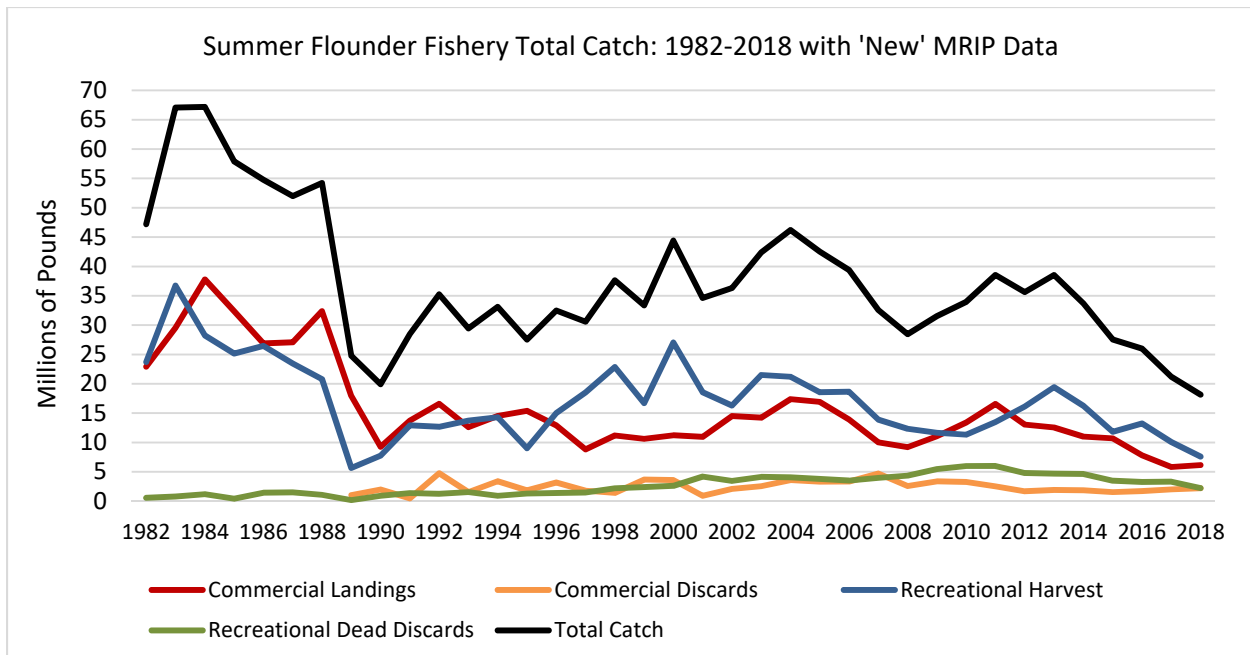


Figure 2. Summer flounder fishery total catch as a sum of discards and landings (millions of pounds; includes 'New' Marine Recreational Information Program [MRIP] estimates of recreational catch). Source: Summer Flounder Data Update for 2019, NEFSC.

Recreational Discards

For black sea bass, recreational harvest in pounds has increased since the beginning of the time series (1989), while harvest in numbers of fish has fluctuated without significant directional change (Figures 3 and 4). The number of fish discarded in the recreational fishery on the other hand, has notably increased over time (Figure 4). This is largely influenced by changes in management including implementation of minimum sizes, possession limits and seasons. Assuming a constant mortality rate of 15%, recreational dead discards have followed a similar trend. However, a recent study suggests that black sea bass hook and line mortality may be higher than 15%; the study estimated mortality rates from 21-52% in 45 meter depths (see report by Jensen et al. provided in the August 2019 Briefing Materials).

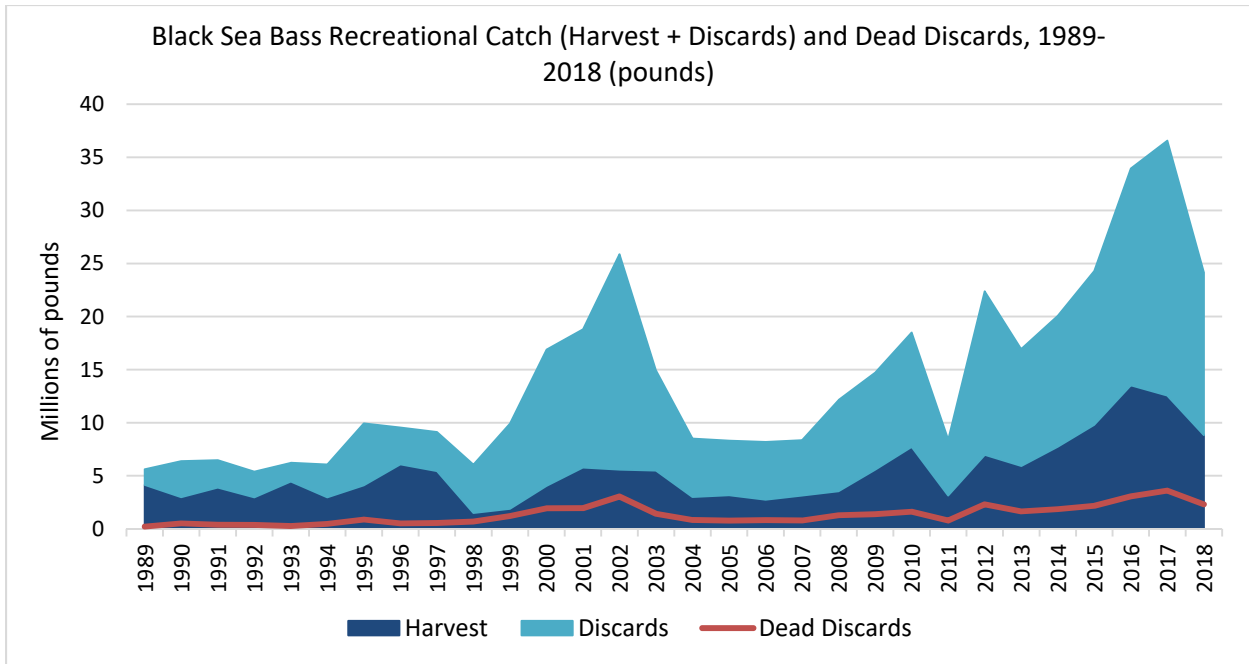


Figure 3. Black Sea Bass Recreational Catch and Discards (pounds), 1989-2018. Source: Personal communication with NEFSC, 2019.

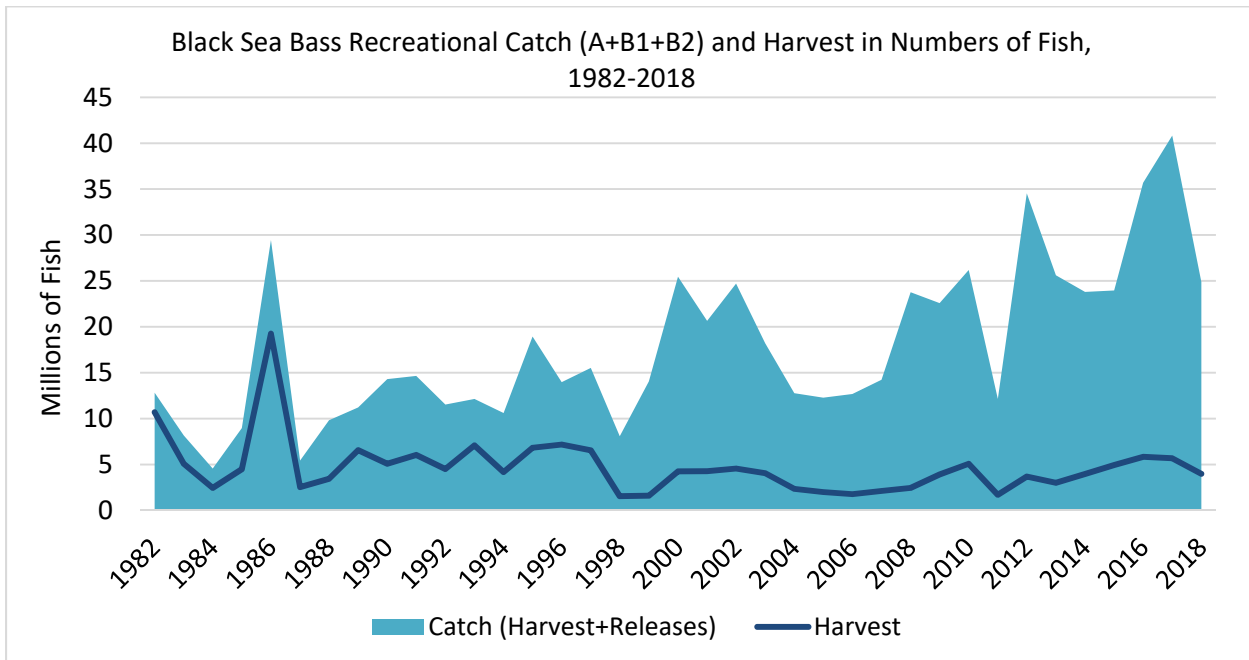


Figure 4. Black Sea Bass Recreational Catch and Harvest (numbers of fish), 1989-2018. Source: MRIP, 2019.

Discards and Fishery Specifications

In the process of setting specifications for summer flounder, scup and black sea bass, expected discards are taken into account when establishing the appropriate annual catch limits (ACLs) for the commercial and recreational fisheries. For black sea bass, expected discards are produced by first dividing the Acceptable Biological Catch (ABC) into expected landings and discards based on the most recent three year average of the relative proportions of landings and discards. Then, the amount of discards is divided between the commercial and recreational sectors using the most recent three year average of the proportion of total discards from each fishery sector. Expected discards for each sector are subtracted from their respective annual catch targets (set equal to or less than the ACLs to account for management uncertainty) to determine the commercial quota and recreational harvest limit (see Figure 5). This approach assumes that the relative proportions of landings and discards, and the relative proportions of commercial and recreational discards will be similar in the future as the past three years. For summer flounder and scup, the stock assessments project landings and discards separately, so projected commercial and recreational discards used to establish harvest limits are derived directly from the stock assessments. Figure 6 shows a flowchart of the 2019 summer flounder specifications including the values used for expected commercial and recreational discards.

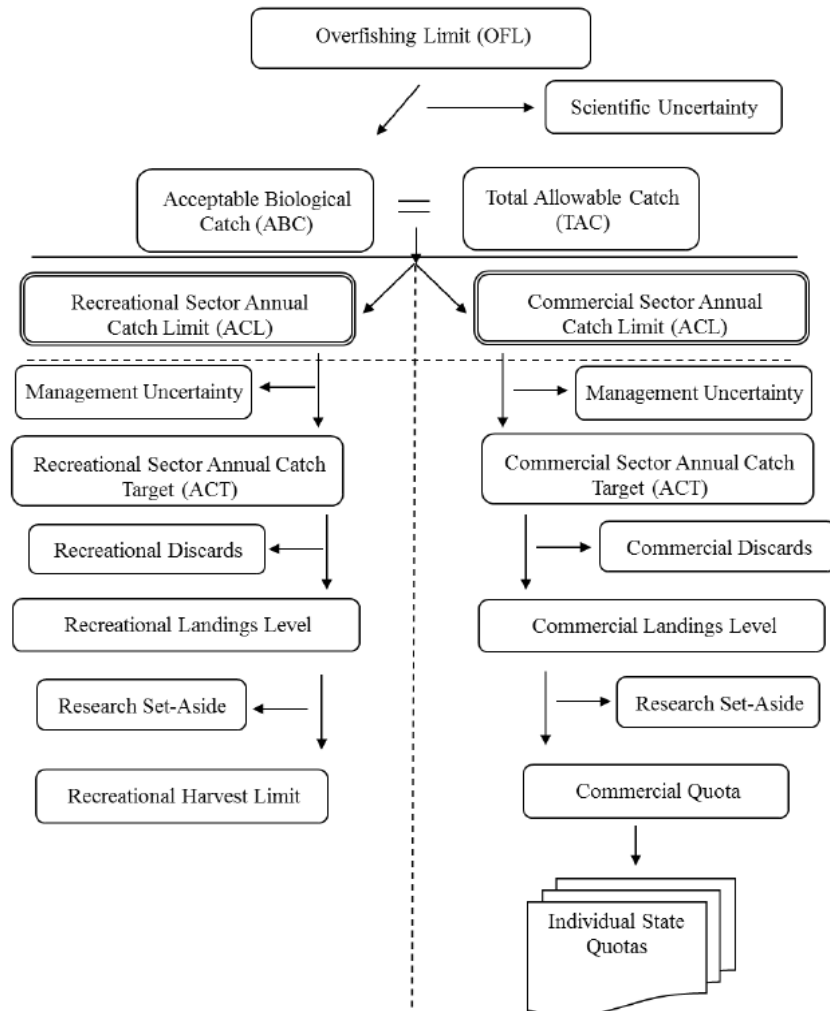


Figure 5. Flowchart for summer flounder and black sea bass catch and landings limits. The research set-aside program was suspended in 2014.

Summer Flounder

2019 – Revised, Based on averaged 2019-2021 ABCs

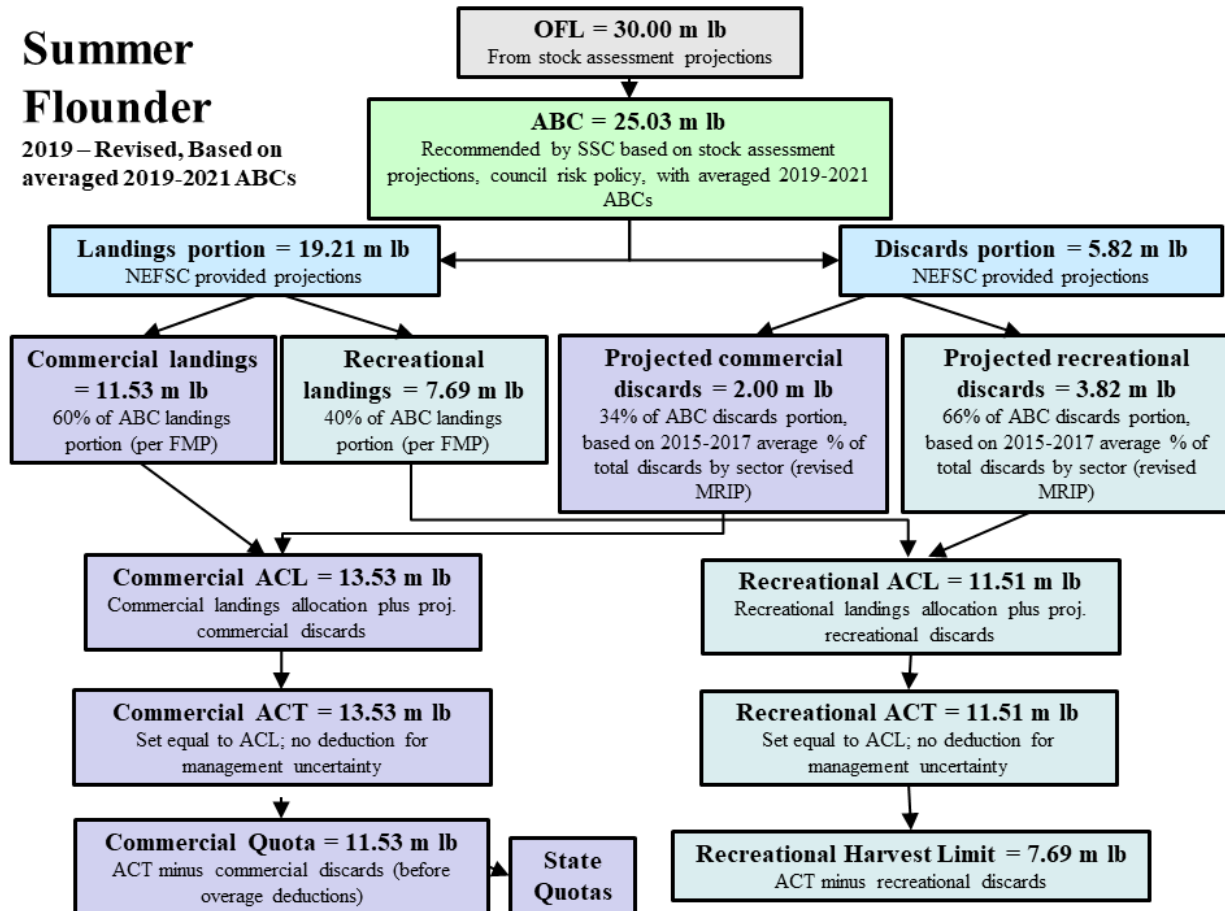


Figure 6. Summer flounder 2019 specifications flowchart.