



# Atlantic States Marine Fisheries Commission

1050 N. Highland Street • Suite 200A-N • Arlington, VA 22201  
703.842.0740 • 703.842.0741 (fax) • www.asmfmc.org

## MEMORANDUM

February, 28, 2014

**To:** Summer Flounder, Scup, and Black Sea Bass Management Board  
**From:** Summer Flounder, Scup, and Black Sea Bass Technical Committee  
**RE:** 2014 Summer Flounder and Black Sea Bass Recreational Fishery Proposals

### List of Participants

Jason McNamee (RI)	Rich Wong (DE)	Kiley Dancy (MAFMC)
Paul Caruso (MA)	Steve Doctor (MD)	Toni Kerns (ASMFC)
Greg Wojcik (CT)	Sally Roman (VA)	Kirby Rootes-Murphy (ASMFC)
John Maniscalco (NY)	Tom Wadsworth (NC)	
Peter Clarke (NJ)	Mark Terceiro (NMFS)	

**The following memo contains the Summer Flounder, Scup, and Black Sea Bass Technical Committee Review of the Summer Flounder Regional Proposals and Black Sea Bass State Proposals for the 2014 recreational fishery.**

### Summer Flounder Recreational Proposals

The Board and Council met in December of 2013 to establish the 2014 recreational management program for Summer flounder. At this meeting, the Board and Council initiated Draft Addendum XXV with recreational management options that included conservation equivalency and adaptive regional management options. At the ASMFC 2014 Winter Meeting, the Board approved adaptive regional management for 2014 with the following regions: Massachusetts and Rhode Island; Connecticut, New York and New Jersey; Delaware, Maryland and Virginia; and North Carolina. The Board tasked the Technical Committee (TC) with developing measures that collectively are intended to achieve, but not exceed, the 2014 recreational harvest limit.

The TC met on February 26, 2014 via conference call to review the regional management proposals for 2014. The TC evaluated the merit of each region's proposal using data from MRIP, Massachusetts summer flounder tagging program, New York headboat sampling, and volunteer angler surveys from Rhode Island, Connecticut and New Jersey. Below are the details of each option and the Technical Committee recommendations to the Board. Each proposal assumes that effort and fish availability in 2014 will be similar to the previous year.

The TC notes that a sufficient buffer between the chosen combination of regional proposals and the coastwide RHL should be considered by the Board to account for a number of sources of uncertainty:

- The scope and scale of proposed regulatory changes.
- The volatility and future evolution of MRIP, including improved charter mode catch sampling and the changes to be made to effort estimation.
- The potential for harvest by the southern states, despite recent years lower estimates.

## Regional Options Comparison Table

The table below provides the projected harvest of different combinations of proposals from the North Atlantic (MA and RI) and Mid-Atlantic (CT, NY and NJ) regions relative to the 2014 RHL. Harvest for the regions that include Delaware, Maryland, Virginia and North Carolina is held constant at 358,046 fish and the 2014 RHL of 2,421,720 fish is based upon the 2014 RHL of 7.01 million pounds and an average summer flounder size of 2.89 lbs/fish. Measures from the region of Connecticut through New Jersey are listed horizontally and measures from the region of Massachusetts and Rhode Island are listed vertically. Options included in each region's proposal are included in the table (see Row and Column D) along with concisely described measures (Rows and Columns A [days in Wave 3] and B [bag@size limit, season length]). The values in Row and Column C represent what proportion of the original addendum's regional target the proposed measures are projected to harvest. To provide the Board with more flexibility, the proposed options are shown here as part of a continuum of possible scenarios that include the most conservative and the least conservative options included in each region's proposal.

As an indicator of risk, the combinations of regional proposals have been color-coded to indicate what percentage of the RHL the measures are projected to harvest. Green boxes indicate that less than 95% of the RHL is projected to be harvested if the regions were to adopt the corresponding measures. A yellow box indicates that from 95% to just less than 98% of the RHL is projected to be harvested. An orange box indicates that the combined regional measures are projected to harvest 98% to 100% of the RHL, making these combinations very risky. A red box indicates a combination of regional proposals expected to exceed the RHL and should not be considered as viable options.

The TC endorses the combination of regional options that project harvest of less than 95% of the RHL, indicated in this table with "green" shading for the reasons stated above (see bulleted points).

For the Connecticut, New York, New Jersey region there is a specified maximum number of days the season can be open in wave 3 (see Measures on the table below).

*Note: The original Addendum XXV Option 3B table projected a coastwide harvest of 95.7% of the RHL. Since publication of the Addendum, states have improved upon some of the estimates used in these calculations. Under the same measures published in the original Addendum, the projected harvest is now calculated to be 95.2% of the RHL.*

Table 1.Regional Options Comparison

Assumes DE thru NC projected harvest is 358,046 fish (Addendum XXV Option 3B Measures)																	
Assumes RHL of 2,421,720 fish																	
	A	B	C	D	E	Connecticut, New York & New Jersey											
A	DAYS WV 3					39dWv3	NMD	39dWv3	45dWv3	staggered	staggered	NMD	45dWv3	52dWv3	NMD	NMD	52dWv3
B		MEASURES				4@18"128d	NMD	5@18"128d	4@18"128d	4@18"122d	4@18"119d	NMD	5@18"128d	4@18"128d	NMD	NMD	5@18"128d
C			ADD XXV 3B	1,774,810		0.96	0.97	0.98	0.99	0.99	1.00	1.01	1.02	1.03	1.04	1.05	1.06
D			183,528	PROP OPTION		5	-	6	1	8	7	-	2	3	-	-	4
E				NO. FISH		1,695,949	1,721,566	1,743,942	1,754,088	1,765,109	1,766,396	1,792,558	1,804,404	1,821,918	1,845,802	1,863,551	1,874,944
Massachusetts & Rhode Island	61dWv3	8@18"245d	0.74	1	135,704	90.4%	91.5%	92.4%	92.8%	93.3%	93.3%	94.4%	94.9%	95.6%	96.6%	97.3%	97.8%
	STATUS QUO	STATUS QUO	0.87	STATUS QUO	159,661	91.4%	92.5%	93.4%	93.8%	94.3%	94.3%	95.4%	95.9%	96.6%	97.6%	98.3%	98.8%
	NMD	NMD	0.95	-	174,352	92.0%	93.1%	94.0%	94.4%	94.9%	94.9%	96.0%	96.5%	97.2%	98.2%	98.9%	99.4%
	NMD	NMD	1	-	183,528	92.4%	93.5%	94.4%	94.8%	95.2%	95.3%	96.4%	96.9%	97.6%	98.6%	99.3%	99.8%
	40dWv3	5@17"132d	1.05	2	192,428	92.8%	93.8%	94.7%	95.2%	95.6%	95.7%	96.8%	97.2%	98.0%	98.9%	99.7%	100.2%
	40dWv3	8@17"132d	1.09	4	200,556	93.1%	94.2%	95.1%	95.5%	96.0%	96.0%	97.1%	97.6%	98.3%	99.3%	100.0%	100.5%
	40dWv3	3@16.5"132d	1.10	3	201,294	93.1%	94.2%	95.1%	95.5%	96.0%	96.0%	97.1%	97.6%	98.3%	99.3%	100.0%	100.5%
	NMD	NMD	1.15	-	211,057	93.5%	94.6%	95.5%	95.9%	96.4%	96.4%	97.5%	98.0%	98.7%	99.7%	100.5%	100.9%
	NMD	NMD	1.2	-	220,234	93.9%	95.0%	95.9%	96.3%	96.8%	96.8%	97.9%	98.4%	99.1%	100.1%	100.8%	101.3%
	NMD	NMD	1.25	-	229,410	94.3%	95.3%	96.3%	96.7%	97.1%	97.2%	98.3%	98.8%	99.5%	100.5%	101.2%	101.7%
	NMD	NMD	1.3	-	238,586	94.7%	95.7%	96.6%	97.1%	97.5%	97.6%	98.7%	99.1%	99.9%	100.9%	101.6%	102.1%
	NMD	NMD	1.35	-	247,763	95.0%	96.1%	97.0%	97.4%	97.9%	98.0%	99.0%	99.5%	100.2%	101.2%	102.0%	102.4%
	40dWv3	5@16.5"132d	1.39	5	255,112	95.3%	96.4%	97.3%	97.8%	98.2%	98.3%	99.3%	99.8%	100.6%	101.5%	102.3%	102.7%
	40dWv3	8@16.5"132d	1.45	6	265,928	95.8%	96.9%	97.8%	98.2%	98.7%	98.7%	99.8%	100.3%	101.0%	102.0%	102.7%	103.2%
40dWv3	5@16"132d	1.84	7	337,981	98.8%	99.8%	100.8%	101.2%	101.6%	101.7%	102.8%	103.3%	104.0%	105.0%	105.7%	106.2%	

  

	RHL	NMD = No Measures Determined
	X < 95%	
	95% ≤ X < 98%	
	98% ≤ X ≤ 100%	
	X > 100%	

Where X = Projected Coastwide Harvest

## **Massachusetts and Rhode Island**

Combined 2013 Harvest Target: MA (137,307) + RI (141,609) = 278,916 fish

Combined 2013 Landings: MA (32,936) + RI (126,725) = 159,661 fish

### **2013 Regulations:**

#### **Massachusetts**

Minimum Size: 16"

Possession Limit: 5 fish

Open Season: May 22-September 30 (132 days)

#### **Rhode Island**

Minimum Size: 18"

Possession Limit: 8 fish

Open Season: May 1-December 31 (245 days)

### **Additional Notes**

The TC acknowledges the very dissimilar fisheries that exist in Massachusetts & Rhode Island due to different near shore bathymetries and the length frequency distribution of available fish.

The states of Massachusetts and Rhode Island are also proposing to keep their measures at status quo, relative to their 2013 measures. To account for this, Table 1 provides an estimate of regional harvest if measures stay status quo. While status quo doesn't meet the requirements of Addendum XXV, it will not result in an estimated overharvest of RHL if the other regions take appropriate measures. The status quo for these two states is estimated to harvest the same as last year (159,661 fish).

#### *Rhode Island For-Hire Fluke Conservation Cooperative*

A group of Rhode Island based charter boat captains are requesting a distinct allocation of fluke for 2014 from Rhode Island's RHL (up to 2% of that state's allowable landings). Operating under a Hard-TAC, the captains propose to offer their fares enhanced fishing opportunities using a minimum size limit of 16", a season of May through October and no daily bag limit. The stated benefits of this program include an improved angler experience, decreased discards, regulatory stability to aid business planning and trip marketing, and increased data gathering opportunities for the RIDEM. This would be the second year this program was in operation. The first year, the Cooperative purchased RSA fish using a grant from the National Fish and Wildlife Foundation. The full proposal can be viewed at <http://www.dem.ri.gov/programs/bnatres/fishwild/pdf/sfl022014p.pdf>.

The technical committee noted that the harvest incurred by this proposed program would not impact the coastwide recreational harvest limit as it was a small scale program. TC members concerns include MRIP intercepts leading to biased mode estimates, the privatization of a public resource, potentially increased harvest, the self selecting nature of Cooperative membership, validation of self-reported harvest, and the potential demand by other For-Hire businesses for similar privileges.

**TC Recommendations:** The TC finds the methodology used to calculate the projected harvest for the different proposed measures from Massachusetts and Rhode Island to be technically sound. None of the options proposed consider the cost in fish of switching days from Wave 5 to Wave 3. Days in Wave 3 harvest ~20 times more fish than days in Wave 5. All proposed options can be considered by the Board in concert with the other regional proposals. The calculations do not incorporate any additional considerations of risk or uncertainty.

## Proposed 2014 Measures

### Regs: 18" - 8 fish - full season Option 1

NO. FISH A+B1			2014 DAYS						2014		Meets 1998 RHL Allocations		
STATE	2013 PROJ	2014 PROJ*	1	2	3	4	5	6	TOTAL	PROJ HARV**	Region sum	MA	RI
MASSACHUSETTS	32,936	6,587			61	62	61	61	245	8,980	135,704		
RHODE ISLAND	126,724	126,724			61	62	61	61	245	126,724		YES	YES

### Regs: 17" - 5 fish Option 2

NO. FISH A+B1			2014 DAYS						2014		Meets 1998 RHL Allocations		
STATE	2013 PROJ	2014 PROJ*	1	2	3	4	5	6	TOTAL	PROJ HARV**	Region sum	MA	RI
MASSACHUSETTS	32,936	13,174			40	62	30		132	13,174	192,428		
RHODE ISLAND	126,724	216,698			40	62	30		132	179,254		YES	NO

### Regs: 16.5" - 3 fish Option 3

NO. FISH A+B1			2014 DAYS						2014		Meets 1998 RHL Allocations		
STATE	2013 PROJ	2014 PROJ*	1	2	3	4	5	6	TOTAL	PROJ HARV**	Region sum	MA	RI
MASSACHUSETTS	32,936	43,476			40	62	30		132	37,824	219,632		
RHODE ISLAND	126,724	281,327			40	62	30		132	181,809		YES	NO

### Option 4

#### Regs: 17" - 8 fish

NO. FISH A+B1			2014 DAYS						2014		Meets 1998 RHL Allocations		
STATE	2013 PROJ	2014 PROJ*	1	2	3	4	5	6	TOTAL	PROJ HARV**	Region sum	MA	RI
MASSACHUSETTS	32,936	52,698			40	62	30		132	55,332	242,055		
RHODE ISLAND	126,724	216,698			40	62	30		132	186,722		YES	NO

### Option 5

#### Regs: 16.5" - 5 fish

NO. FISH A+B1			2014 DAYS						2014		Meets 1998 RHL Allocations		
STATE	2013 PROJ	2014 PROJ*	1	2	3	4	5	6	TOTAL	PROJ HARV**	Region sum	MA	RI
MASSACHUSETTS	32,936	22,396			40	62	30		132	22,396	255,112		
RHODE ISLAND	126,724	281,327			40	62	30		132	232,715		YES	NO

### Option 6

#### Regs: 16.5" - 8 fish

NO. FISH A+B1			2014 DAYS						2014		Meets 1998 RHL Allocations		
STATE	2013 PROJ	2014 PROJ*	1	2	3	4	5	6	TOTAL	PROJ HARV**	Region sum	MA	RI
MASSACHUSETTS	32,936	22,396			40	62	30		132	23,516	265,928		
RHODE ISLAND	126,724	281,327			40	62	30		132	242,412		YES	NO

### Option 7

#### Regs: 16" - 5 fish

NO. FISH A+B1			2014 DAYS						2014		Meets 1998 RHL Allocations		
STATE	2013 PROJ	2014 PROJ*	1	2	3	4	5	6	TOTAL	PROJ HARV**	Region sum	MA	RI
MASSACHUSETTS	32,936	32,936			40	62	30		132	32,936	337,981		
RHODE ISLAND	126,724	368,767			40	62	30		132	305,045		YES	NO

\*Accounts for minimum size adjustment

\*\*Accounts for all adjustments (season, size, bag)

### Connecticut, New York, and New Jersey

Combined 2013 Harvest Target: CT (93,569) + NY (440,960) + NJ (977,998) = 1,512,527 fish

*Approximate* Adj. 2013 Harvest Target: CT(88,000\*)+ NY(591,000\*) + NJ(1,039,000\*) =1,718,000 fish

Combined 2013 Landings: CT (269,651) + NY (500,167) + NJ (1,197,458) = 1,967,276 fish

\*Initial targets that were adjusted by Addendum XXIV (RHL Sharing)

### **2013 Regulations:**

#### **Connecticut**

Minimum Size: 17.5"      **At 42 designated shore sites:** Minimum Size: 16"

Possession Limit: 5 fish

Possession Limit: 5 fish

Open Season: May 15-October 31 (176 days)

Open Season: May 15-Oct 31

#### **New York**

Minimum Size: 19"

Possession limit: 4 fish

Open Season: May 1- September 29 (151 days)

#### **New Jersey**

Minimum Size: 17.5"

Possession limit: 5 fish

Open Season: May 18- September 24 (133 days)

### **Proposed Management Strategies for 2014:**

The states of Connecticut, New York, and New Jersey will adopt an 18" minimum size limit in combination with the same possession limit (4 or 5 fish) and a season of the identical length (128 days or less) but not necessarily the same start and end dates (with a specified number of days the season can be open in wave 3).

Connecticut has expressed interest in continuing their Shore Based Enhanced Opportunity Fishing Program in which anglers are allowed to harvest 16" fish at designated sites only. Connecticut has submitted separate justification for evaluation by the Technical Committee for consideration under Addendum XXV. According to MRIP, harvest by the shore mode contributes less than 3% to Connecticut's overall harvest. Designated shore site monitoring was in place in Connecticut in 2013. See their supplemental report for details.

If the Connecticut shore program is approved, New Jersey and New York may have the opportunity to adopt a similar program to be consistent within the Region. As such, New York and New Jersey are exploring options to include a limited enhanced shore fishing program. This would be a pilot program for New York and New Jersey in 2014 consisting of a limited number of sites in each state. For example, New Jersey is considering one centrally located State Park with a single entry point, which will allow enforceable regulations, provide opportunity for biological sampling, and conduct angler intercepts. Both states will need to explore the efficacy of such a program prior to adopting it for this year.

**Proposed 2014 Measures:** Below are 2014 regional management options for summer flounder. Option 1 was provided in Addendum XXV, all other options are relative to option 1.

**TC Recommendations:** The TC finds the methodology used to calculate the projected harvest for the different proposed measures from Connecticut, New York and New Jersey to be technically sound. They can all be considered by the Board in concert with the other regional proposals. Shore mode harvest at 16" in New York and New Jersey has not been considered in any of the projected harvests. As with any exemption fishery proposal, MRIP estimates could be biased by intercepts at fishing access points with

special regulations. The calculations do not incorporate any additional considerations of risk or uncertainty.

The TC emphasizes for some of the proposed options for the Connecticut, New York, New Jersey region there is a specified maximum number of days the season can be open in wave 3 (see Measures on the table below). For example, if the three states selected option 3 (18", 4-fish, Open 128 days) but violated the 52 day wave 3 limit and started on May 1, the projected harvest would exceed the regional harvest specified in the table. Days in Wave 3 are worth almost 3 times as many fish as days in Wave 5.

	MEASURES	STATE HARVEST	STATE REL. TO 3B EXAMPLE	REGIONAL HARVEST	REG. REL. TO 3B EXAMPLE
<b>MID-ATLANTIC OPTION 1 (ORIGINAL)</b>	MID ATL SEASON = 5/17-9/21				
MA & RI	5 @ 17", 132 DAYS			175,623	
CONNECTICUT	4 @ 18", 128 DAYS (45 Wv 3)	227,939			
NEW YORK	4 @ 18", 128 DAYS (45 Wv 3)	640,523			
NEW JERSEY	4 @ 18", 128 DAYS (45 Wv 3)	906,348		1,774,810	
DE-VA	4 @ 16", 365 DAYS			312,493	
NC	6 @ 15", 365 DAYS			45,241	
2014 RHL (7.01 million lbs, 2.88 lbs/fish)				2,431,225	
<b>MID-ATLANTIC OPTION 2</b>	MID ATL SEASON = 5/17-9/21				
CONNECTICUT	5 @ 18", 128 DAYS (45 Wv 3)	209,947	92%		
NEW YORK	5 @ 18", 128 DAYS (45 Wv 3)	678,954	106%		
NEW JERSEY	5 @ 18", 128 DAYS (45 Wv 3)	915,503	101%	1,804,404	102%
<b>MID-ATLANTIC OPTION 3</b>	MID ATL SEASON = 5/10-9/14				
CONNECTICUT	4 @ 18", 128 DAYS (52 Wv 3)	223,232	98%		
NEW YORK	4 @ 18", 128 DAYS (52 Wv 3)	680,117	106%		
NEW JERSEY	4 @ 18", 128 DAYS (52 Wv 3)	918,569	101%	1,821,918	103%
<b>MID-ATLANTIC OPTION 4</b>	MID ATL SEASON = 5/10-9/14				
CONNECTICUT	5 @ 18", 128 DAYS (52 Wv 3)	226,172	99%		
NEW YORK	5 @ 18", 128 DAYS (52 Wv 3)	720,924	113%		
NEW JERSEY	5 @ 18", 128 DAYS (52 Wv 3)	927,848	102%	1,874,944	106%
<b>MID-ATLANTIC OPTION 5</b>	MID ATL SEASON = 5/23-9/27				
CONNECTICUT	4 @ 18", 128 DAYS (39 Wv 3)	193,491	85%		
NEW YORK	4 @ 18", 128 DAYS (39 Wv 3)	606,585	95%		
NEW JERSEY	4 @ 18", 128 DAYS (39 Wv 3)	895,873	99%	1,695,949	96%
<b>MID-ATLANTIC OPTION 6</b>	MID ATL SEASON = 5/23-9/27				
CONNECTICUT	5 @ 18", 128 DAYS (39 Wv 3)	196,040	86%		
NEW YORK	5 @ 18", 128 DAYS (39 Wv 3)	642,980	100%		
NEW JERSEY	5 @ 18", 128 DAYS (39 Wv 3)	904,922	100%	1,743,942	98%
<b>MID-ATLANTIC OPTION 7</b>					
CONNECTICUT	4@18", 119 DAYS (52 Wv 3)	225,928	99%		
NEW YORK	4@18", 119 DAYS (52 Wv 3)	672,907	105%		
NEW JERSEY	4@18", 119 DAYS (39 Wv 3)	867,561	96%	1,766,396	100%
<b>MID-ATLANTIC OPTION 8</b>					
CONNECTICUT	4@18", 122 DAYS (45 Wv 3)	209,784	92%		
NEW YORK	4@18", 122 DAYS (52 Wv 3)	675,310	105%		
NEW JERSEY	4@18", 122 DAYS (39 Wv 3)	880,015	97%	1,765,109	99%



### **Delaware, Maryland, and Virginia**

Combined 2013 Harvest Target: DE (78,512) + MD (73,852) + VA (417,657) = 570,021 fish

Combined 2013 Landings: DE (48,897) + MD (48,786) + VA (187,429) = 285,112 fish

#### **2013 Regulations:**

##### **Delaware**

Minimum Size: 17"

Possession Limit: 4 fish

Open Season: All year (365 days)

##### **Maryland**

Minimum Size: 16"

Possession Limit: 4

Open Season: March 28- December 31 (275 days)

##### **Virginia**

Minimum Size: 16"

Possession Limit: 4

Open Season: All year (365 days)

**Proposed 2014 Measures:** Delaware proposes to decrease its minimum size by 1". Maryland extended its season to 365 days. All other measures for all 3 states will remain identical to 2013 regulations.

<b>Option</b>	<b>Min Size</b>	<b>Bag Limit</b>	<b>Open Season</b>
1	16"	4	All year (365 days)

**Potomac River Fisheries Commission (PRFC)** will set measures consistent with the Delaware through Virginia region of 16 inch size limit, 4 fish possession limit, and open season all year.

**TC Recommendations:** The TC finds the methodology used to calculate the projected harvest for the proposed measures from Delaware, Maryland, and Virginia to be technically sound. They can be considered by the Board in concert with the other regional proposals. The calculations do not incorporate any additional considerations of risk or uncertainty.

### **North Carolina**

2013 Harvest Target: 140,000 fish

2013 Landings: 49,632 fish

#### **2013 Regulations:**

Minimum Size: 15"

Possession Limit: 6 fish

Open Season: All Year (365 days)

**Proposed 2014 Measures:** Status Quo

**TC Recommendations:** The TC finds the methodology used to calculate the projected harvest for the proposed measures from North Carolina to be technically sound. It can be considered by the Board in concert with the other regional proposals. The calculations do not incorporate any additional considerations of risk or uncertainty.

## **Black Sea Bass Recreational Proposals**

The Addendum XXV sets forth a management program for the recreational fishery that is designed to reduce the coastwide recreational harvest by 7% (based on projected 2013 harvest) in order to not exceed the recreational harvest limit (RHL) of 1.23 million fish in 2014. The addendum approved the continuation of ad hoc regions: a northern region (Massachusetts – New Jersey) and southern region (Delaware – North Carolina) for the 2014 black sea bass recreational fishery.

Each region will implement recreational black sea bass management programs that utilize minimum size limits, maximum possession limits, and seasonal closures that are designed to achieve a specific harvest reduction that, when combined with the other regions in the management unit, achieve the required coastwide reduction for 2014. While not required, states will work to develop consistent regulations for their recreational management programs within the region. The states of Massachusetts through New Jersey were required to reduce their harvest by 7% based on the projected region performance from 2013. The states of Delaware through North Carolina (North of Cape Hatteras) agreed to set their measures consistent with the proposed Federal regulations (MAFMC recommended 12.5 inch TL minimum fish size, 15 fish possession limit, and open seasons from May 19 to September 18 and October 18 to December 31 to NOAA Fisheries). In reviewing updated MRIP wave 1-6 data, the required reduction needed to constrain harvest to the 2014 RHL is approximately 3.2% from the 2013 coastwide harvest. Given the updated MRIP harvest estimate data for waves 1-6, the TC members for the northern region developed proposals that considered measures that constituted a 7% and 3.2% reduction. TC members for the southern region developed alternatives from the proposed federal measures to account for the needed 3.2% reduction.

### ***Methods:***

The regions will attempt to construct regulations that are as similar as possible. While this is a goal of the following analyses, the Board adopted the ad hoc regional approach to allow some flexibility in setting management measures. This flexibility was an attempt to recognize that the states, particularly in the northern region, can have unique fisheries and a consistent set of regulations can have disparate effects across the region. In all cases below, the use of multiple metrics in an option uses the interaction calculation:

Total Increase =  $(X+Y) - (X*Y)$ ;

X = The percentage decrease associated with seasonal closure(s).

Y = The percentage decrease associated with size/possession limit.

### ***Proposed Management Strategies for 2014***

The following are the proposals from the states of the northern and southern region.

#### **Massachusetts**

2013 harvest estimate data are preliminary, and 2013 bag and size data are not currently available for analyses. Additionally, because those estimates may be influenced (confounded) by the FH LOA fleet harvest exemption seasonal reductions were calculated as the proportional reduction in the 2012 harvest associated with taking days out of the waves calculated from the average of the 2012 and 2013 harvests by wave divided by the number of open days in each wave. Since the 2012 Wave 3 estimates were aberrantly high, likely due to a very early arrival of sea bass on our grounds and high MRIP survey error, the use of the two year average tempers the higher daily harvest reduction rates derived from the 2012 data alone. In essence this works as a small conservation buffer against seasonal recoupment

effects. This is consistent with the methodology we used in 2013 that was successful in reducing our harvest to well below the target level.

For bag limit analyses, the complete 2012 MRIP type 3 harvest data set for Massachusetts was used, with 362 total positive intercepts of type 3 single contributor bags, including all modes and the three waves. All regulatory options presented below total to the expected 29% reduction in harvest from the base year regardless of if they cover multiple modes or a single mode, thus negating the need for harvest proportional reduction calculations for each mode. If the smaller additional reduction is required this year (3%) the options will be adjusted accordingly.

**Massachusetts Proposed Management Measures for 2014**

<b>Applicable Mode(s)</b>	<b>Possible Bag limits</b>	<b>Possible Season(s)</b>
<b>All</b>	<b>6</b>	<b>May 17- September 28 or May 11 to Sept 8</b>
	<b>7</b>	<b>May 17 to September 20</b>
	<b>8</b>	<b>May 17 to September 15</b>
<b>Private Modes Only</b>	<b>6</b>	<b>May 11 to October 13</b>
	<b>7</b>	<b>May 11 to September 20</b>
	<b>8</b>	<b>May 17 to September 27</b>
<b>For Hire Modes Only</b>	<b>10</b>	<b>May 11 –June 20, and July 1 – Aug 20, and Sept 1- Oct 15</b>
	<b>10</b>	<b>May 11-July 18 and Sept 1 – Oct 31</b>
	<b>10</b>	<b>May 24 – August 17</b>
	<b>8</b>	<b>June 1 – Sept 30</b>
	<b>8</b>	<b>May 11 – July 30</b>
	<b>8</b>	<b>May 11- July 24 and Sept 1 – Oct 13</b>

**Notes: If separate regulations are chosen for the FH and Private modes then season closures and bag limits must be calculated and chosen separately for both modes. Above options are only examples, actual options invoked may be slightly different in both bag limit and/or season dates but would use the same analysis methodologies and base data.**

**TC Recommendation: Partial Approval**

The TC only approves options that apply to all modes, not the split modes. The For-Hire estimates are confounded by the harvest of the LOA fleet. TC members raised concerns regarding the effect increasingly complex regulations would have on our ability to calculate and evaluate regulatory proposals. Massachusetts has a potential to harvest large amounts of black sea bass and its For-Hire fishery accounts for an average of 30% of their fishery in recent years. Due to these concerns, the TC recommends that there not be separate regulations for the For Hire and Private modes.

## **Rhode Island**

Rhode Island (hereafter 3 state region) explored two methods of estimating 2014 recreational black sea bass options. Those considered included; 1.) daily harvest rates based on RI's harvest from 2013; and 2.) bag and size calculations utilizing RI Volunteer Angler Survey (VAS) data along with a bag limit simulation.

Changes in harvest due to possession limit adjustments were analyzed using a unique procedure. Given the lack of available data to calculate the effects of changes to bag limits, a methodology was created to simulate a hypothetical distribution that was randomly sampled in an effort to determine an effect from changing bag limit size. Seasonal adjustments were calculated by taking the total harvest by wave and then dividing this value by the number of open days in the wave. This creates a daily harvest value, and this can then be used to determine the effects of a seasonal change on harvest.

### **Rhode Island Proposed Management Measures for 2014**

Bag Limit		Minimum Size	Wave 3 (open days)	Wave 4 (open days)	Wave 5 (open days)	Wave 6 (open days)	Reduction
Split Bag	3	13	9	62	0	0	0.035
	7		0	0	61	61	
Split Bag	3	13	15	62	0	0	0.033
	7		0	0	58	0	
Split Bag	3	13	12	62	0	0	0.036
	5		0	0	61	30	

### **TC Recommendation: Approve**

## **Connecticut**

Harvest per day rates for waves 3 - 5 came directly from the 2013 landings provided by MRIP. Both options meeting the 3.2% and 7% reduction are performed by removing open fishing days from wave 3. Removing 3 days is a 4% reduction and removing 5 days is a 7% reduction.

The MRIP sample size of measured black sea bass in 2013 was only 50 fish. This sample size did not allow an accurate length frequency table to be created for making liberalization estimates for the 2014 fishing year. As an alternative, the 2013 Connecticut Volunteer Angler Survey (VAS) data had a sample size of 1,200 lengths and was used to calculate size limit liberalizations. CT does not intend on making adjustments to the minimum size in the 2014 fishing season, but analysis was performed for review regardless.

### **Party and Charter Vessel Program**

In 2013 due to an overestimation of the average size by MRIP, States were allowed to reduce their reduction late in the season by 7%. Rather than making adjustments to black sea bass regulations already in place and printed, Connecticut opted to use the additional fish for a longer party and charter

season. In order for vessels to participate in the program, they were required to register with the state and submit mandatory monthly catch reports. If vessels failed to submit their reports, they were immediately dropped from the program. A list of active qualifying vessels was maintained and shared with Conservation Law Enforcement. The program allowed party charter vessels an 8 fish creel limit from June 15 to November 30. In comparison to other modes and vessels that did not participate, it allowed for an additional 5 fish from 6/15/2013 to 8/31/2013 and 8 fish from 10/30/2013-11/30/2013.

In 2013 there were a total of 38 registered vessels (2 Party boats and 36 charter boats), of which 22 participated with a total of 300 trips harvesting a total of 5,722 fish. Of these 5,722 fish, only 1,390 (<1%) are attributed to the black sea bass party and charter vessel program.

Connecticut would like to continue this party and charter black sea bass program into 2014.

**Connecticut Proposed Management Measures for 2014**

Option	Season	Creel	Min Size	% Reduction
<b>Status Quo</b>	6/15/14 – 8/31/14	3	13”	0%
	9/1/14 – 10/29/14	8		
<b>1</b>	6/20/14 – 8/31/14	3	13”	7%
	9/1/14 – 10/29/14	8		
<b>2</b>	6/18/14 – 8/31/14	3	13”	4%
	9/1/14 – 10/29/14	8		

**TC Recommendation: Approve**

TC members noted that Connecticut’s For-Hire program has the same potential for difficulty that the MA LOA has demonstrated. The small harvest from the party and charter vessel program relative to the other modes that comprise the Connecticut state black sea bass harvest makes this less problematic.

**New York**

Wave specific daily rates are generated by dividing the MRIP Wave Estimates of harvest (A+B1 fish) by the number of days open in each wave. MRIP estimates used in the calculations were current as of February 18, 2014.

Possession limit adjustments were calculated using angler specific catch frequency data collected by NYSDEC staff sampling on 18 headboat trips in 2013. Five out of the 18 headboat trips targeted black sea bass at some point during the trip.

NY’s Marine Resource Advisory Council requested a lower possession limit for some part of the fishing season be considered when generating regulatory options. In these examples, a possession limit of 3 fish was considered during Wave 4, and the possession limit reverted back to 8 fish during Waves 5 and 6. That methodology could be used for other combinations of season and possession limit. No changes in the possession limit will occur mid-Wave.

## New York's Proposed Management Measures for 2014

	SEASON	DAYS WV 3	DAYS WV 4	DAYS WV 5	DAYS WV 6	PROJ HARVEST	REDUCTION
<b>2013 MEASURES</b>	7/10-12/31 8 FISH @ 13"		53	61	61	337,250	
<b>-7.0% REDUX REQUIRED</b>							
<b>OPTION 1</b>	7/15-12/31 8 FISH @ 13"	0	48	61	61	313,790	-7.0%
<b>OPTION 2</b>	7/6-8/31 3 FISH @ 13"	0	57				
	9/1-12/31 8 FISH @ 13"			61	61	311,969	-7.5%
<b>-3.0% REDUX REQUIRED</b>							
<b>OPTION 1</b>	7/13-12/31 8 FISH @ 13"	0	50	61	61	323,174	-4.2%
<b>OPTION 2</b>	7/3-8/31 3 FISH @ 13"	0	60				
	9/1-12/31 8 FISH @ 13"			61	61	323,726	-4.0%

### TC Recommendation: Approve

### New Jersey

New Jersey explored several methods of estimating 2013 recreational black sea bass options. Those considered included estimates of harvest by wave based on MRIP and New Jersey Volunteer Angler Survey (VAS). Ultimately, a combination of both data sources was utilized to allow New Jersey the flexibility to reduce the possession limit as well as season in either combination or individually. The MRIP data provided landings estimates for season reductions while the New Jersey VAS data provided the data for daily possession reductions.

All options were developed using the New Jersey MRIP harvest data from 2013. To create a daily possession bag reduction table, the New Jersey VAS data were used by taking the average harvest from 2011-2013. New Jersey is considering a split bag approach which would present a size limit of 12.5 inches and a possession limit of 15 fish during waves 3, 5, and 6 and a reduced possession limit during wave 4.

Please keep in mind that the options listed reflect potential options. New Jersey's Marine Fisheries Council's Black Sea Bass Committee and its advisors will convene to recommend their preferred options to the New Jersey Marine Fisheries Council for 2014. The Council will then meet to select an option. The option they select may or may not be one of the examples provided, but it will have been developed using the same methodology as the options listed below. The Technical Committee has been provided the spreadsheet with the calculations for the percent reductions.

**New Jersey's Proposed Management Measures for 2014**

Management Options for NJ's 2014 Black Sea Bass Recreational Fishery Based on Average Daily Harvest Rates from 2013 MRIP data achieving a **7.0** percent reduction in harvest.

Examples of Potential 2014 NJ Black Sea Bass Recreational Measures Achieving a 3.2 % Reduction			
Possession	Size	Total Days and Open Season	Total Reduction from Measures
		155	
20 fish at	12.5	May 19-August 8 and Oct 20 - Dec 31	9.4%
		157	
15 fish at	12.5	May 19 - Aug 8 and Oct 18 - Dec 31	8.9%
		159	
15 fish at	12.5	May 19 - Aug 17 and Oct 25 to Dec 31	8.2%
		161	
15 fish at	12.5	May 19 - Aug 26 and Nov 1 - Dec 31	7.4%
		161	
12 fish at	12.5	May 19 - Aug 12 and Oct 18 - Dec 31	7.9%
Split Bag		176	
15/5/15/15	12.5	May 19 - Aug 27 and Oct 18 - Dec 31	7.6%
fish at			
*****2014 Federal Measures*****			
15 Fish at	12.5	May 19 - Sept 18 and Oct 18 - Dec 31	

Management Options for NJ's 2014 Black Sea Bass Recreational Fishery Based on Average Daily Harvest Rates from 2013 MRIP data achieving a **3.2** percent reduction in harvest.

Examples of Potential 2014 NJ Black Sea Bass Recreational Measures Achieving a 3.2 % Reduction			
Possession	Size	Total Days and Open Season	Total Reduction from Measures
		159	
20 fish at	12.5	May 19-August 10 and Oct 18 - Dec 31	3.7%
		161	
15 fish at	12.5	May 19 - Aug 12 and Oct 18 - Dec 31	3.9%
		162	
15 fish at	12.5	May 19 - Aug 20 and Oct 25 to Dec 31	4.4%
		164	
15 fish at	12.5	May 19 - Aug 29 and Nov 1 - Dec 31	3.6%
		164	
12 fish at	12.5	May 19 - Aug 29 and Oct 18 - Dec 31	4.2%
		180	
Split Bag 15/5/15/15 fish at	12.5	May 19 - Aug 31 and Oct 18 - Dec 31	4.1%
*****2014 Federal Measures*****			
15 Fish at	12.5	May 19 - Sept 18 and Oct 18 - Dec 31	

**TC Recommendation: Approve**



### **Southern Region (Delaware, Maryland, Virginia, and North Carolina)**

The Council recommended to NOAA Fisheries the federal measures for the 2014 fishing year be: 12.5 inch TL minimum fish size, 15 fish possession limit, and open season of May 19-September 18 and Oct 18-December 31 so long as the combined reduction in state waters and federal waters landings meet NOAA requirements.

These measures were intended to achieve the 2014 recreational harvest limit (RHL) (2.26 million pounds or 1,189,474 fish), with the expectation that the states in the southern region would set their measures consistent with these. The estimated reduction in harvest of these measures was 7.06% for the coast and 10.9% for the southern region.

Due to updated MRIP waves 1-6 estimates previously mentioned, the reduction required to constrain landings to the 2014 RHL is now 3.2%. This amount of reduction for the southern region can be achieved with a decrease in creel to 15 fish (1.7%), the loss of Wave 1 which had reported landings in North Carolina (0.7% for the entire wave) and three days of closure in wave five (0.39 per day times three days = 1.2%). The total reduction of these combined measures is 3.47%.

Given the smaller required reduction, the following measures could be considered for federal waters in 2014:

**12.5 inches TL minimum fish size, 15 fish possession limit, and open season May 19-September 18 and October 9-December 31.**

This includes three more closed days in wave five than in 2013, as well as undeterminable additional closure for all of wave one as a bonus conservation measure.