Atlantic States Marine Fisheries Commission

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MEMORANDUM

July 31, 2012

To: **Atlantic Menhaden Management Board**
From: **Atlantic Menhaden Advisory Panel**
Subject: **Advisory Panel Report to the Board on Draft Amendment 2**

The Advisory Panel met via conference call on July 25, 2012 to make recommendation to the Board on draft Amendment 2 the ISFMP for Atlantic Menhaden. Panel members in attendance represented the conservation community, commercial harvesters (for bait and reduction), bait dealers, and recreational fishermen. The following is a summary of the meeting, and the recommendations of the AP.

Attendees

Advisory Panel Members
William Windley, Chair (MD)
Ron Lukens (VA)
Ed Cherry (NJ)
Jeff Kaelin (NJ)
Don Swanson (NH)
Ken Hinman (VA)
Melissa Dearborn (NY)
Tom Ogle (SC)

Public
Alison Fairbrother

ASMFC Staff
Mike Waine

Recommendations for Draft Amendment 2 to the ISFMP for Atlantic Menhaden

1.1.1 Statement of the problem

Some AP members want to clarify that the current level of MSP is not just a result of fishing mortality, but is also an effect of environmental conditions.

PDT drafted text to address AP recommendations

Fishing at the fishing mortality (F) threshold reference point in the terminal year (2008) has resulted in approximately 8% of the maximum spawning potential (MSP)[1].

[1] Natural mortality is a contributing factor to current estimates of %MSP (e.g., environmental conditions affecting recruitment success, predation).

2.5 Biological Reference Points

Some AP members agree that the SSB and F reference points should be matched.

2.6.2 F Rebuilding Schedule

AP members believe that the F rebuilding timeframe language is misleading because it usually refers to rebuilding biomass to the target, not reducing the fishing mortality rate to the target. Those members recommend changing the wording to "*F* Reduction Schedule", and only discuss reducing the current F to the target F.

PDT drafted text to address AP recommendations

F Reduction Schedule
NOTE: The following text would replace all options

The Board shall take action to reduce the current F to at least the target $F_{30\%MSP}$ *level in a time frame that shall be no longer than 3 years.*

3.6.1.2 Quota Monitoring

AP members reached consensus and suggested adding a daily reporting requirements by dealers, noting that SAFIS is the preferred option as the daily reporting system. Some AP members also noted that some dealers are already reporting daily.

The AP also cautioned that if Option E was selected it would be influenced by any decisions in *Section 4.2.1.1*. More specifically, if the Board decides to close the fishery when 85% of the TAC is reached (Option A, *Section 4.2.1.1)*, and they have a change in monitoring requirements when 85% of the TAC is reached (Option E, *Section 3.6.1.2)* those two options would be in conflict.

PDT drafted text to address AP recommendations

Option F. Require daily reporting by dealers, with SAFIS as the preferred reporting option.

- *Some federal dealers are already reporting daily*
- *Difficult to implement in states that have paper dealer reporting, as opposed to reporting through an electronic platform (e.g., SAFIS).*
- *Difficult to implement in states with established harvester-dependent reporting, not dealer-dependent reporting.*

3.6.2 Biological Data

The AP reached consensus to include an option that requires catch and effort data for gill nets and fish traps as well as pound nets for all states that have those gears.

PDT drafted text to address AP recommendations

Option D. Require catch and effort data be collected for gill nets, fish traps, and pound nets for all states that have those gears. The intent is to potentially develop a CPUE index of adults across menhaden's range.

4.2.1.2 TAC Setting Method

1.) The AP recommends adding language that the projections were based on the 75% reduction and 25% bait allocation scenario as an example, but the actual allocation will be determined in *Section 4.2.1.3.; TAC Allocation*. Therefore, the projections may change based on any selected allocation option. This applies to both the 2012 and the 2010 projection analyses.

2.) The AP recommends including additional local examples of the ad-hoc approaches used by Fishery Management Councils to set harvest limits. The AP believes that this ad-hoc approach to setting TACs has been used in Atlantic mackerel and black sea bass.

3.) The AP recommends including clarification that not only is the ad hoc approach an option for setting the TAC, but the choice of a specific multiplier are suboptions that the public could provide feedback on.

PDT drafted text to address AP recommendations

1.) The projections were based on the 75% reduction and 25% bait allocation scenario as an example, but the actual allocation will be determined in Section 4.2.1.3.; TAC Allocation. Therefore, the projections may change based on any selected allocation option. This applies to both the 2012 and the 2010 projection analyses.

2.) The PDT is obtaining more information regarding additional uses of the ad hoc quota setting method in Atlantic Mackerel and Black Sea Bass

3.) Option D includes the selection of a precautionary multiplier to adjust any recent average catch value used as a TAC. The multiplier suboptions are,

Option A. Multiplier = 1, means a 0% reduction from recent average catch

Option B. Multiplier = 0.90, means a 10% reduction from recent average catch

Option C. Multiplier = 0.80, means a 20% reduction from recent average catch

Option D. Multiplier = 0.75, means a 25% reduction from recent average catch

Option E. Multiplier = 0.50, means a 50% reduction from recent average catch

Option F. Multiplier = 0.25, means a 75% reduction from recent average catch

Addition of a Quota Set Aside (not currently in draft Amendment 2)

The AP recommended including a set aside option for small scale traditional fisheries operating late in the season. They recommend an analysis occur to develop options regarding the specific amount of quota to be set aside for this small scale fishery.

PDT drafted text to address AP recommendations

4.2.1.8 TAC Set Aside

Option A. No allowance of a quota set aside

Option B. A specific percentage, or poundage of the TAC may be set aside for small scale traditional fisheries. The set aside amount may be chosen by the Board during annual specifications, and is subject to an analysis fishery receiving a set aside. This option would be available provided adequate monitoring existed in the fishery receiving the set aside.

4.2.1.5 Quota Rollover and 4.2.1.6 Quota Payback

1.) The AP recommended language to clarify quota rollover and quota paypacks.

2.) Some AP members recommended that allocation be specifically added to the measures subject to change (*Section 4.6.2)*

PDT drafted text to address AP recommendations

1.)

4.2.1.5 Quota Rollover (Revised Options B and E)

Option A: Quotas May Not Be Rolled Over
Unused quota may not be rolled over from one fishing year to the next.

Option B (revised). 100% Quota Rollover
Any unused portion of a TAC may be rolled over to the subsequent fishing year. This would apply to a coastwide TAC or any allocated portion of that TAC by fishery (bait and reduction), region, or state. This option does not specify that transferred quota may be rolled over nor does it prohibit rollover of transferred quota.

Option C: Rollover of Transferred Quota (if allowed)
A state may rollover any unused transferred quota from one fishing year to the next. That is, if a state receives transferred quota, and does not harvest its final quota (that state's quota plus any quota transferred to that state) amount, the remaining amount will be added to the corresponding states quota the following year but not subsequent years (i.e., no stock piling of quota).

Option D: No Rollover of Transferred Quota
A state may not rollover any unused transferred quota.

Option E (revised): Maximum 5% Quota Rollover
A maximum of 5% of an unused portion of a TAC may be rolled over to the subsequent fishing year. This would apply to a coastwide TAC or any allocated portion of that TAC by fishery (bait and reduction), region, or state. This rollover option would apply to all final allocations (including transferred quota). For example if a state's final allocation is 1.5 million pounds and that state only lands 1 million pounds during the fishing season, the state may only roll 75,000 pounds (5%) into the subsequent fishing season.

4.2.1.6 Quota Payback

Option A: No Payback of Overharvest of Quota

Option B: Payback of Quota Overages (including transferred quota if applicable)
Any overage of a TAC is subtracted from that specific TAC the subsequent fishing year. This would apply to a coastwide TAC or any allocated portion of that TAC by fishery (bait and reduction), region, or state.

2.) Add TAC Allocation to list of measures subject to change (Section 4.6.2)

General Comments

The AP commends the PDT for the quality of draft Amendment 2.

Some AP members object to the fast time track that Amendment 2 is taking.