



Atlantic Striped Bass

Draft Addendum I to Amendment 7

Public Comment and AP Report

Commercial Quota Transfers in the Ocean Region



Striped Bass Management Board
January 31, 2023

Outline



- Draft Addendum I
 - Statement of the Problem
 - Timeline and Background
 - Proposed Management Options
- Public Comment Summary
- Advisory Panel Report

Board action for consideration: Select management option and consider final approval of Addendum I.



Statement of the Problem



- Questions/concerns raised about striped bass commercial quota system
 - E.g., concern about the use of 1970s reference period as basis for quotas
- Concerns included in scoping for Draft Amendment 7, but commercial quota issue was not selected for further development
- Some support for addressing commercial quota issues separately from Amendment 7

Statement of the Problem



- In August 2021, the Board initiated this **draft addendum** to consider allowing for the voluntary transfer of commercial quota in the ocean region
- Management option that could provide some, more immediate relief for states seeking a change to their quota
- Other Commission-managed species allow for the voluntary transfer of quota between states, which can address issues like shifting stocks, quota overages, etc.

Timeline



Date	Action
August 2021	Board initiated Draft Addendum
Aug-Oct 2021	PDT developed Draft Addendum document
October 2021	Board deferred consideration until May 2022, later postponed until August 2022
August 2022	Board provided guidance to PDT for further development
November 2022	Board approved Draft Addendum I for public comment
Nov 2022-Jan 2023	Public comment period; deadline January 13
January 31, 2023	Board considers selecting measures and final approval of Addendum I

Background: Status of the Stock



- 2022 Stock Assessment Update

	Target	Threshold	2021 Value	Status
Fishing Mortality (<i>F</i>)	0.17	0.20	0.14	Not overfishing
Female Spawning Stock Biomass (SSB)	235 million lbs	188 million lbs	143 million lbs	Overfished

- Under current *F*, there is a 78.6% chance the stock will rebuild by 2029

Background: Quota Management



- Quota system used to manage striped bass commercial fisheries
- Ocean: state-by-state commercial quotas
- Chesapeake Bay: total Bay-wide commercial quota (allocated per mutual agreement of Bay jurisdictions)

- Quota overages are paid back the following year
- Rollover of unused quota from one year to the next is not permitted
- Currently, quota transfers are not permitted

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State	Current Am. 7 Ocean Commercial Quotas (accounting for CE)
Maine*	154
New Hampshire*	3,537
Massachusetts	735,240
Rhode Island	148,889
Connecticut*	14,607
New York	640,718
New Jersey**	215,912
Delaware	142,474
Maryland Ocean	89,094
Virginia Ocean	125,034
North Carolina	295,495
Ocean Total	2,411,154

* Commercial harvest/sale prohibited.

** Commercial harvest/sale prohibited, with re-allocation of quota to the recreational fishery.

Background: Fishery Removals



- 2021 total striped bass removals: 5.1 million fish
 - 12% commercial harvest
 - 2% commercial dead discards
 - 36% recreational harvest
 - 50% recreational release mortality
- 2021 commercial landings
 - **Ocean: 1.8 million lbs / 2.4 million lb quota**
 - Chesapeake Bay: 2.4 million lbs / 3 million lb quota

Background: Quota Utilization



- Ocean commercial fishery regularly underutilizes its total quota
 - Fish not always available in some state waters (e.g., NC which holds 13% of the ocean quota, but zero harvest since 2012)
 - Some states prohibit commercial striped bass harvest (ME, NH, CT, NJ which collectively hold 10% of ocean quota)
- Several factors impact how much quota is landed each year, including year class availability, stock abundance, nearshore availability, fishing effort, and state management programs

Background: Percent Quota Utilized

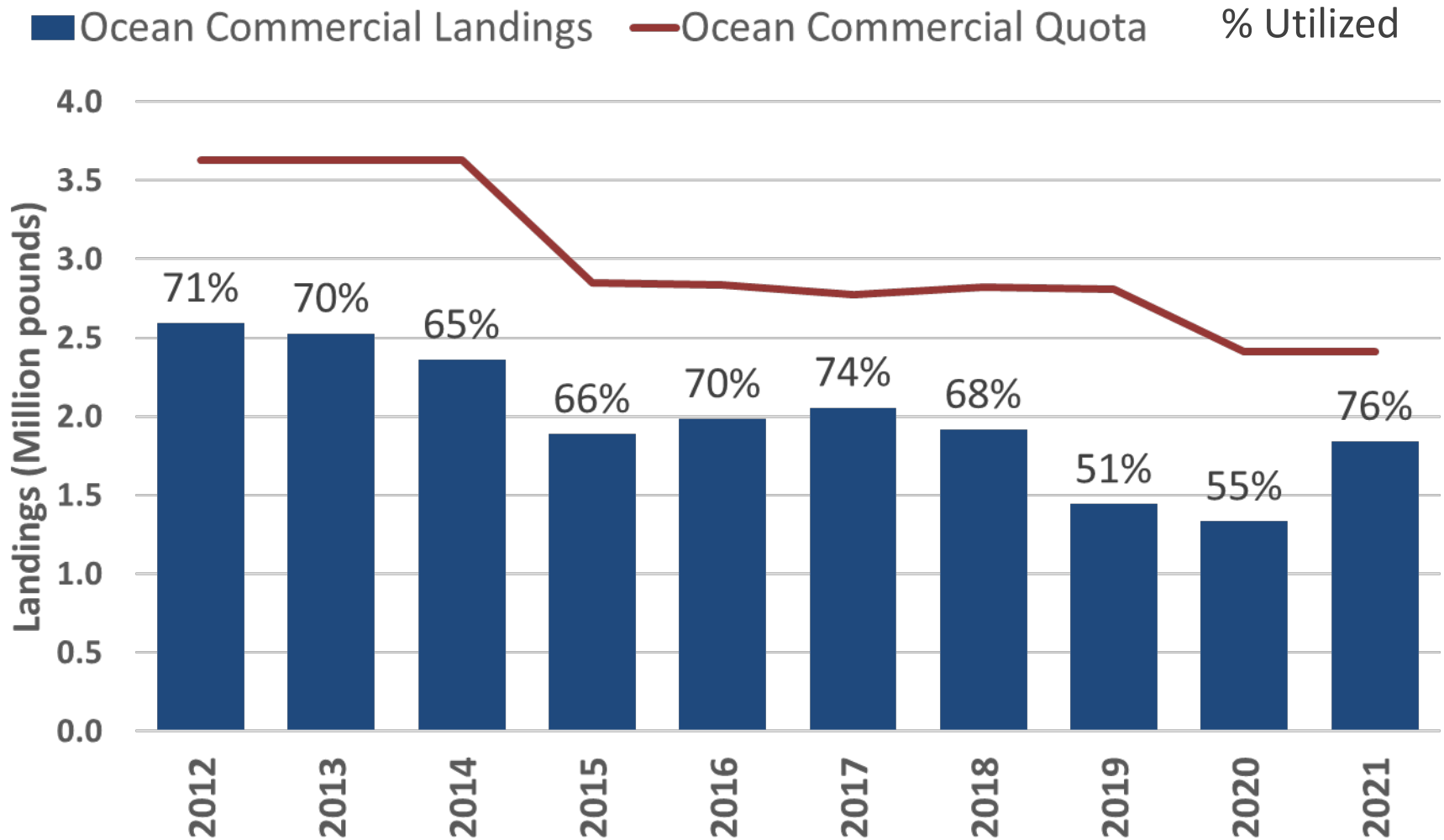


State	2019	2020	2021
Maine*	0%	0%	0%
New Hampshire*	0%	0%	0%
Massachusetts	67%	53%	100%
Rhode Island	79%	78%	88%
Connecticut*	0%	0%	0%
New York	45%	83%	98%
New Jersey**	0%	0%	0%
Delaware	98%	97%	98%
Maryland	91%	94%	100%
Virginia	100%	62%	96%
North Carolina	0%	0%	0%
Ocean Total	51%	55%	76%

* Commercial harvest/sale prohibited.

** Commercial harvest/sale prohibited, with re-allocation of quota to the recreational fishery.

Background: Quota Utilization



Background: Quota Utilization



- Allowing quota transfers could increase ocean quota utilization, which could undermine the goals and objectives of Addendum VI reductions (2020)
- Commercial fishery consistently underutilizes quota due to fish availability and some states prohibiting commercial harvest of striped bass
- Addendum VI reductions assumed the commercial fishery would underutilize its quota as it has in the past
→ achieve the reduction in commercial removals
- This assumption may be violated if transfers are permitted in the ocean region



Proposed Management Options

Proposed Options



- Options consider allowing for the **voluntary transfer** of striped bass commercial quota in the **ocean region** between states that have ocean quota
- Options do not address Chesapeake Bay quota
- Options do not consider transfers between the Chesapeake Bay and the ocean (or vice versa)
- Commercial quota that has been reallocated to a state's recreational fishery (i.e., recreational bonus program) is not eligible to be used for quota transfers

Proposed Options



- If transfers are permitted, quota would be transferred **pound-for-pound**
- Uncertainty associated with transfers between states that catch different size striped bass
 - States catch different size striped bass due to variability in size distribution along the coast, different size limits, gears, seasons, etc.
 - Through CE, states have adjusted their commercial size limits from the historical standard, resulting in changes to their quota over time
 - A pound of striped bass quota is not equal across states
 - Some proposed options incorporate a provision to address this discrepancy

Proposed Options



Option A Status Quo. Transfers not permitted.

Proposed Options



Option A Status Quo. Transfers not permitted.

The following options would allow voluntary transfers of ocean commercial quota.

Proposed Options



Option A Status Quo. Transfers not permitted.

The following options would allow voluntary transfers of ocean commercial quota.

Option B. Transfers permitted (with overfished conservation tax).

Option C. Transfers permitted except no transfers if stock is overfished.

Option D. Board discretion/set criteria on transfers (with overfished conservation tax).

Option E. Board discretion/set criteria on transfers except no transfers if stock is overfished.

Least
restrictive



Most
restrictive

Option B



Option B. General transfer provision: Voluntary transfers would be permitted (with overfished conservation tax).

- No limit on how much quota can be transferred
- When the stock is overfished, a 5% conservation tax would apply to transfers to address the issue that a pound of quota is not equal across states

Example: If State A transfers 10,000 pounds to State B when the stock is overfished, State B would receive 9,500 pounds and the other 500 pounds is the conservation tax no longer available for harvest that year.

Option C



**Option C. Limited transfers based on stock status:
Voluntary transfers would be permitted, except no
transfers when the stock is overfished.**

- No limit on how much quota can be transferred
- When stock is overfished, no transfers permitted

Note: Given the current overfished status of the stock, this option would not provide near-term relief to states seeking additional quota.

Option D



Option D. Board discretion: Board would decide whether voluntary transfers are permitted/set criteria every 1-2 years (with overfished conservation tax).

- Board would decide by their final meeting of the year whether to allow transfers for the next 1-2 years, based on stock status and fisheries performance information
- When the stock is overfished, a 5% conservation tax would apply to transfers to address the issue that a pound of quota is not equal across states

Option D



Option D. Board discretion: Board would decide whether voluntary transfers are permitted/set criteria every 1-2 years (with overfished conservation tax).

- Board may choose to specify one or more criteria:
 - A limit on the transferable amount of quota (e.g., set poundage or percent of the quota that could be transferred in a year);
 - A seasonal limitation on transferability (e.g., no more than 50% of the transferable quota amount transferred before July 1);
 - Eligibility of a state to receive a transfer based on percentage of that state's quota landed (e.g., state may not request quota until it has landed 90% of its annual quota).

Option D



Option D. Board discretion: Board would decide whether voluntary transfers are permitted/set criteria every 1-2 years (with overfished conservation tax).

- If the Board selects this option and Addendum I is approved in 2023, the Board could decide whether to allow 2023 transfers
- Then the Board would start the regular process of deciding about transfers before the next year begins (e.g., make decision for 2024 by Fall 2023)

Option E



Option E. Limited transfers based on stock status and Board discretion: Board would decide whether voluntary transfers are permitted/set criteria every 1-2 years, except no transfers when the stock is overfished.

- Board would decide by their final meeting of the year whether to allow transfers/set criteria for the next 1-2 years, based on stock status and fisheries performance information
- When the stock is overfished, no transfers permitted

Note: Given the current overfished status of the stock, this option would not provide near-term relief to states seeking additional quota.

Voluntary Transfer Process



- If transfers are permitted (Options B – E), follow voluntary transfer process:
 - Require a donor state and a receiving state
 - May occur any time during the year, and up to 45 days after the calendar year ends (Board may specify any number from 0 up to 45 days)
 - States must submit a signed letter to the Commission
 - Transfer is final when states receive written confirmation letter from Commission staff
 - Transfers do not permanently impact state quota shares
 - States are still responsible for quota overages of transferred quota

Compliance Schedule



- Measures approved through this Addendum would be effective immediately on the date of approval.
- If commercial quota transfers are permitted, states must account for any additional quota potentially received via transfers when determining the number of commercial tags required for the upcoming season.

Note: If the Board selects status quo Option A, there would be no change to current management; so there would be no final Addendum I document. A note would be added to the FMP Review acknowledging the Draft Addendum I process.



Public Comment Summary

Written Public Comment Overview



- Public comments accepted through January 13, 2023
- 1,979 written comments received:
 - 759 individual written comments
 - 1,190 comments through 6 form letters
 - 30 organizations submitted written comments



Public Hearing Overview



- 8 public hearings were held for 12 jurisdictions in Dec 2022-Jan 2023
- 5 webinar only; 2 hybrid format; 1 in-person
- 193 public individuals attended the hearings
 - Not including state staff, Commissioners/Proxies, ASMFC staff
 - Some people attended multiple hearings and commented/voted at multiple hearings
- Polls/shows of hands used at most hearings



Comment Count



	Option A. No transfers	Option B. Transfers allowed, with overfished tax	Option C. Transfers allowed, except no transfers when overfished	Option D. Board discretion transfers, with overfished tax	Option E. Board discretion transfers, except no transfers when overfished
Written Total	1,950	9	0	0	2
Hearing Total	155	16	4	3	8

- Vast majority favored status quo Option A
- Of those who favored the alternatives, Option B had the most support



Option A Support



Option A Support (status quo no transfers)

- Concern about expanding harvest and increasing mortality when the stock is rebuilding, overfished, and experiencing low recruitment
- Focus should be rebuilding the stock, not maximizing harvest
- Transfers would jeopardize stock rebuilding
- Board has rejected quota transfers in the past
- Allowing transfers conflicts with stakeholder input supporting conservation during Am7
- If states are not harvesting full quota, stock is not doing well and extra quota should not be transferred/harvested elsewhere



Options B – E Support



Option B Support (transfers permitted with overfished tax)

- Commenters noted they are commercial fishermen
- Transfers allow for efficient use of quota
- Small impact of commercial fishery overall
- Commercial fishery has accountability in place with payback for any overages
- Transfers would help avoid regulatory discards after states fill quota
- Benefits of transfers for other species



Options B – E Support



Option D Support (Board discretion with overfished tax)

- Some Board discretion would be beneficial
- Caution against too much oversight and setting overly restrictive transfer criteria

Option E Support (Board discretion except no transfers when overfished)

- Provide maximum oversight by the Board and support caution when rebuilding
- Still benefit states seeking transfers after filling quota early



Additional Comments



- Concern commercial fisheries are removing large breeders and the importance of protecting large spawning females.
- Concern about ongoing conservation equivalency programs (CE) and support for ending current CE programs.
- The commercial sector should have the same regulations (e.g., size limits) as the recreational sector.
- Concern about the potential for a future moratorium if the stock does not recover.
- Support for ending commercial harvest and making striped bass a gamefish (recreational only).
- Concern about menhaden harvest in the Chesapeake Bay.
- Concern about impacts from commercial gill nets.





Advisory Panel Report

AP Report



- Striped Bass Advisory Panel met via webinar on January 17, 2023 to discuss Draft Addendum I
- Report summarizing AP members' recommended options and additional recommendations on the quota transfer process and quota system in general



AP: Option A Support



14 AP members support Option A (status quo no transfers)

- Transfers not appropriate while the stock is overfished and rebuilding; not allow increase in either sector's harvest while overfished.
- Public comments overwhelmingly support Option A.
- Transfers would not benefit the stock, especially when overfished.
- Concern for potential behind-the-scenes, non-transparent 'horse-trading'.
- Need buffer of not harvesting the NC quota while stock is overfished.
- If quota is transferred north, large breeding females would be harvested; concern about moving quota from harvesting smaller fish to harvesting larger fish (lose more spawning potential).
- Moving quota disrupts rebuilding analysis and assumed size of catch.
- Chesapeake Bay recruitment failure calls for caution and conservation.

AP: Option B Support



4 AP members support Option B (transfers permitted with overfished tax)

- Science would not set total quotas that would jeopardize the stock.
- Commercial fishery already is already constrained and closely monitored with payback and accountability provisions in place.
- Striped bass fishery is primarily recreational, and the commercial fishery is only 10% of total removals with low, relatively stable landings; allowing transfers would not have a significant, if any, impact on stock status with the commercial fishery at such low levels.



Recommendations for the quota transfer process:

- If transfers are permitted:
 - 3 AP members recommend eliminating the 45-day provision allowing transfers up to 45 days after the calendar year ends; could lead to states being less careful about exceeding their quota
 - 3 AP members recommend transfers be permitted only for states that allow commercial fishing; states that prohibit commercial fishing (ME,NH,CT,NJ) should not be able to transfer their quota.
- 1 AP member recommends revising the quota utilization calculation to exclude states that don't have commercial fisheries. Calculating the percent utilization incorporating those states (e.g., Maine landed 0% of their quota) seems wrong since those states have chosen not to allow commercial fishing.



AP: Additional Recommendations



If the Board does not allow transfers at this time, AP is split on whether to consider transfers again in the future:

- Some AP members support revisiting transfers after the stock is rebuilt, as that would be more appropriate timing.
- Some AP members don't support revisiting the transfer issue in the future (i.e., transfers should not be allowed in any case) because transfers are not an appropriate tool for the striped bass fishery.
- Some AP members noted uncertainty about whether transfers should be considered in the future.
 - When the stock is rebuilt, transfers could be a tool to respond to climate change and shifting stocks, but only if controlled and regulated properly.



Recommendations on commercial quota system generally:

- 3 AP members recommend the Board re-examine the overall commercial quota system since it is based on outdated data from the 1970s; science has advanced since that time.
- 1 AP member recommends the Board take a broader perspective and re-examine the contribution/value of each sector (commercial and recreational) to the striped bass fishery overall.





Questions?

Board action for consideration: Select management option and consider final approval of Addendum I.

Extra Slides





FAQ:

**How would quota transfers
impact the rebuilding timeline?**

FAQ: Transfers and Rebuilding



How would quota transfers impact the rebuilding timeline?

- If previously unused quota is used, commercial harvest could increase
→ without new projections, cannot say if F would increase or how much probability of rebuilding might decrease
 - Depends on how much previously unused quota is transferred/harvested
 - F depends on both recreational and commercial removals
- Rough estimates of how removals might change*
 - *Caveat: assumes same size fish harvested as in 2021

% Increase from 2021 Total Removals*	Scenario
~ 0.2 - 0.5%	NC quota harvested on top of 2021 removals (assume 11-25lb fish)
~ 0.3 - 0.6%	NC quota harvested AND all active ocean commercial fisheries (MA, RI, NY, DE, MD, VA) use 100% of their ocean quota
~ 1%	All ocean quotas (including states with no commercial fisheries ME, NH, CT, NJ) are 100% used
~ 3%	All ocean quotas and all Ches Bay quotas are 100% used