

Atlantic States Marine Fisheries Commission

Joint Meeting of the Summer Flounder, Scup, and Black Sea Bass and Bluefish Management Boards

Draft Agenda

July 6, 2016

10:00 a.m.-12:30 p.m.

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. The Board Chair may allow limited opportunity for comment and has the discretion to limit the number of speakers and/or the length of each comment.

1. Welcome/Call to Order (*M. Luisi*) 10:00 a.m.
2. Board Consent 10:00 a.m.
 - Approval of Agenda
3. Public Comment (**For items not on the agenda**) 10:05 a.m.
4. Review Revised 2015 MRIP Harvest Estimates (*MRIP Staff*) 10:15 a.m.
5. Technical Committee Report on Revised 2015 MRIP Black Sea Estimates (*K. Rootes-Murdy*) 11:05 a.m.
6. Consider Changes to 2016 Black Sea Bass Recreational Management Measures **ACTION** (*K. Rootes-Murdy*) (Summer Flounder, Scup, and Black Sea Bass Board only) 11:25 a.m.
7. Other Business/Adjourn 12:30 p.m.

Phone number: 1-888-394-8197 Passcode: 815277

Webinar Link: <https://attendee.gotowebinar.com/register/1957182749958008324>

Vision: Sustainably Managing Atlantic Coastal Fisheries



Atlantic States Marine Fisheries Commission

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ASMFC Summer Flounder, Scup, and Black Sea Bass Technical Committee Report on Final 2015 MRIP Harvest Estimates for Black Sea Bass

June 2016

Summer Flounder, Scup, and Black Sea Bass TC members in attendance: Kiley Dancy (MAFMC), Julia Beaty (MAFMC), Moira Kelly (NOAA/GARFO), John Maniscalco (NY), Mike Bednarski (MA), Greg Wojcik (CT), Steve Doctor (MD), Katie May Laumann (VA), Peter Clarke (NJ), Jason McNamee (RI), T.D. VanMiddlesworth (NC)

Other Attendees: Joe Cimino (VA)

ASMFC Staff: Kirby Rootes-Murdy

Background

In February 2016, the ASMFC Summer Flounder, Scup, and Black Sea Bass Management Board (Board) approved the methodologies used in state proposals to keep the coastwide black sea bass recreational harvest in 2016 to the Recreational Harvest Limit (RHL). State proposals were developed by the Summer Flounder, Scup, and Black Sea Bass Technical Committee (TC) for ad-hoc regional management outlined in Addendum XXVII (approved February 2016). Addendum XXVII continues the ad-hoc regional approach first used in 2011, which includes state-by-state black sea bass management measures for Massachusetts through New Jersey state waters and the recommended coastwide federal measures for Delaware through North Carolina state waters. If the necessary harvest reduction is not achieved through adjustments to state water measures, the precautionary default measures could go into effect for both state and federal waters coastwide. For 2016, the Technical Committee recommended the following precautionary default management measures: 14 inch TL minimum size, 3 fish possession limit, and an open season from July 15-September 15.

Preliminary Marine Recreational Information Program (MRIP) harvest estimates for black sea bass through Wave 5 (September and October) released in December 2015 indicated coastwide harvest was 3.64 million pounds (2.08 million fish), requiring a reduction of 22.5% coastwide or 23.2% for the northern region states to stay within the 2016 RHL of 2.82 million pounds. Final 2015 harvest estimates as of June 2016 indicates harvest was 3.96 million pounds (2.37 million fish), approximately 348,900 pounds above the preliminary estimate. As a result, the harvest reduction to achieve the 2016 RHL changes from 22.5% to 28.9% coastwide or 23.2% to 30.2% for the northern region states. At the June 2016 MAFMC Meeting, NOAA indicated the precautionary default management measures may be considered in the final rule for 2016 recreational specifications depending on the response of the ASMFC Summer Flounder, Scup, and Black Sea Bass Board.

When the final harvest estimates were released, NOAA provided the following explanation for why there were changes.

...When compared to the 2015 preliminary estimates of catch by anglers on for-hire vessels, the 2015 final estimates show a substantial increase in the Greater Atlantic Region. The increase was most notable for black sea bass and bluefish – which had 10 and 21 percent increases, respectively.

A review of the estimates shows that this significant difference has been driven almost entirely by the inclusion of Northeast Vessel Trip Report (VTR) data in the final 2015 estimates. VTRs are mandatory for all federally permitted for-hire vessels fishing in the Greater Atlantic Region (Maine through North Carolina) and provide another source of information on the numbers of both for-hire vessel trips and angler fishing trips on those boats. The reported numbers of angler trips from the Northeast VTRs are not available for use in preliminary estimates, but they are incorporated into final estimates.

As a result of the estimated catch increases, recreational black sea bass fishermen in the Northeast may see management measures change this season. We will be working closely with the states and the Atlantic States Marine Fisheries Commission to reconsider management measures for this year. The estimated increases will result in a smaller coast-wide quota for commercial bluefish fishermen. This reduction may impact states that routinely take most or all of their annual quota. States may be able to mitigate some of this impact by state-to-state transfers.

While we expect to see changes between preliminary and final estimates, the 2015 changes were larger than is typical for some species. Preliminary estimates are based on the best information available at the time and are subsequently revised as additional data are received, quality controlled, and incorporated. Final estimates are more precise because of the inclusion of Northeast VTR data. Nevertheless, we are currently delving deep into the data to find out specifically how different factors related to the addition of the Northeast VTR data contributed to these changes.

The ASMFC Summer Flounder, Scup, and Black Sea Bass TC compared the Final MRIP harvest estimates with the preliminary estimates and provide the following recommendations to the Board as it considers how to move forward with 2016 recreational black sea bass management.

Data issues

- Overall coastwide black sea bass harvest (pounds) in 2015 increased by ~10% from the preliminary harvest estimate to the final harvest estimate. The magnitude of harvest change varies when examined at the state-specific level (see Table 1 below).

Table 1. Difference in State by State Preliminary vs. Final MRIP Harvest Estimates for Black Sea Bass

| 2015 Black Sea Bass Harvest | Harvest Difference FINAL-PRELIMINARY | | Percent Difference FINAL/PRELIMINARY - 1 | |
|-----------------------------|--------------------------------------|----------------|--|----------------|
| | STATE | Number of Fish | Weight (pound) | Number of Fish |
| MASSACHUSETTS | -8,871 | -43,874 | -2.5% | -5.8% |
| RHODE ISLAND | 682 | 11,373 | 0.3% | 2.6% |
| CONNECTICUT | 71,763 | 60,361 | 27.2% | 13.6% |
| NEW YORK | 296,421 | 409,041 | 40.4% | 31.7% |
| NEW JERSEY | -81,858 | -156,357 | -20.9% | -26.7% |
| DELAWARE | 3,387 | 4,804 | 17.4% | 21.8% |
| MARYLAND | 45,266 | 61,090 | 366.1% | 360.2% |
| VIRGINIA | 570 | 2,511 | 1.5% | 4.1% |
| NORTH CAROLINA | 826 | 8 | 43.0% | 0.2% |
| TOTAL | 328,186 | 348,957 | 16.0% | 9.6% |

- Harvest changes in most states occurred in the for-hire modes as a result of adjusting effort based upon VTR data. The single largest driver of the change in 2015 coastwide black sea bass harvest between preliminary and final estimates is the approximate 409,000 pound increase in New York’s harvest. The largest increase in New York’s harvest comes primarily from Wave 4 (July and August) for-hire mode, which was estimated at 711,000 pounds – almost 10 times larger than the highest estimate from this wave and mode in the last 10 years (79,000 pound in 2012). The preliminary estimate for this mode and wave was uncharacteristically high and the final estimate for the same mode and wave increased by 118%. The same pattern is evident in directed trips for this mode and wave.
- Looking further at New York’s harvest estimate, there were 15 intercepts from the Wave 4 for-hire mode with black sea bass harvest. The estimated harvest was approximately 110 fish for these 15 intercepts. The weighting (category “wp_int” in the MRIP dataset) of each intercept, on average, increased in the final data by a factor of ~4. This resulted in an increase from 206,000 fish to 481,000 fish harvested.
- It is unclear to the TC how the weighting of the intercepts change when incorporating for-hire VTR data and if other factors contributed to the large increases. This is an item the TC would like to explore further with the assistance of MRIP staff, but at the time of the TC meeting MRIP staff was still analyzing the data.
- Both Connecticut and New York noted their state-level coverage of for-hire vessels is more comprehensive than the MRIP survey coverage within their states. These two states find

that the harvest and effort totals from their for-hire census data are many times smaller than the estimates generated by MRIP. The dramatic difference between survey estimates and census totals warrants examination. Connecticut required all for-hire vessels possessing black sea bass to report via logbooks in 2015. New York requires all state licensed for-hire vessels to submit VTRs if they are not already reporting federally.

- The delay in incorporating VTR data regularly contributes to significantly higher harvest estimates for Maryland between preliminary and final harvest estimates. Therefore, this issue is not unique to New York and Connecticut and highlights a problem with the current process.
- In further evaluating preliminary vs final harvest estimates, the TC noted the harvest reductions from the 2016 implemented measures changed when applying the final harvest estimates (see Table 2).

Table 2. Comparison of 2016 Black Sea Bass Harvest Reduction for Northern Region States using Preliminary vs. Final 2015 MRIP Harvest Estimates

| State | 2016 Management Measures | Reduction from 2015 Harvest (Preliminary 2015 MRIP data) | Harvest Reduction from 2015 Harvest (Final 2015 MRIP data) |
|---------------|---|--|--|
| Massachusetts | 15" TL minimum size limit Season/Possession Limit: May 21-August 31, 5 fish | 23.9% | 25.1% |
| Rhode Island | 15" TL minimum size limit Season/Possession Limit: June 24 - August 31, 3 fish; Sept 1 - Dec 31 7 fish. | 23.4 % | 23.4% |
| Connecticut | 15" TL minimum size limit Possession Limit/Season: (Private & Shore) 5 fish; 8 fish (party charter boats)May 1-December 31 | 23% | 23% |
| New York | 15" TL minimum size limit Possession limit/Season: 3 fish for June 27-August 31; 8 fish for September 1-October 31; and 10 fish for November 1-December 31 | 23% | 27.7% |
| New Jersey | 12.5" TL minimum size limit Possession limit/Season: 10 fish May 23-June 19; 2 fish July 1-August 31 13" TL minimum size limit Possession limit/Season: 15 fish October 22-December 31 | 23.2% | 16.8% |

Process issues

- Annually, the TC develops state proposals for black sea bass recreational measures using preliminary MRIP harvest estimates with the understanding that changes in harvest between preliminary and final numbers may affect the necessary reduction. In recent years, final harvest estimates have been released in March or April, allowing time for the TC to consider how adjustments to state proposals could still achieve the needed reduction before the fishing season begins. The release of final 2015 harvest estimates were delayed by approximately 2 months and no information has been provided to the states for either the delay or the significant increase in harvest. The timing of when the data was released this year and the lack of information as to why it has changed hampers the states' abilities to respond quickly in evaluating the data and putting forth alternative measures to achieve the needed harvest reductions. **One recommendation would be to move towards setting multi-year measures to reduce annual variability.**
- While the VTR data used in the effort calculation for final MRIP harvest estimates have been incorporated into the annual harvest estimates since 2005, it is unclear to the TC why there is lag time between when the VTRs are submitted and accounted for in the MRIP harvest estimates given current regulations require VTRs to be submitted the 15th day of the month following the last trip. **The TC recommends MRIP, to the greatest extent possible, strive to include VTR effort data in the preliminary estimates to avoid significant changes in final harvest estimates.**
- Many TC members indicated if there were to be changes made to the states' current recreational measures, there would be a delay in implementing them (most likely would not occur until after the end of Wave 4). Given this timing, a number of TC members noted any changes would likely have little impact as the high harvest Waves (based on recent years' performance) would have already occurred.
- Prior to 2011, the Board and Council annually set coastwide measures that applied in both state and federal waters. With the establishment of ad-hoc regional management, the Board and Council have outlined a process for the implementation of precautionary default measures in the event that state measures do not achieve the required coastwide reduction. If the necessary reduction isn't achieved through state water measures, the precautionary default measures would go into effect for both state and federal waters. The TC evaluated all the implemented measures from 2015 and combined all of the most restrictive measures to develop the 2016 precautionary default measures. The exact reduction that would be achieved by these measures was not calculated initially. The impact of applying the precautionary default measures will largely be based on when NOAA publishes its final rule and how quickly the states can implement these measures. Based on these considerations, it is unclear as to why this default measure would be implemented as there is no indication of its impact on harvest reductions.

Summary

The TC notes a 5 to 10 fold increase in effort and harvest from one year to the next within a single stratum is unlikely, especially given the more restrictive regulations that were implemented in 2015. Estimates that suggest such, along with the underlying inputs, should be thoroughly scrutinized in a transparent manner before management action is taken. The trade-off between any realized reduction in the number of fish harvested, the increased burden on the states, and further angler disillusionment should be considered, especially this late in the season. The magnitude of the desired change, approximately 7%, is likely below the TC's ability to effectively measure.

2016 Recreational Management Measures for Summer Flounder, Scup, and Black Sea Bass

Summer Flounder State-by-State Recreational Management Measures for 2016

| State | Minimum Size (inches) | Possession Limit | Open Season |
|--|-----------------------|------------------|------------------------|
| Massachusetts | 16 | 5 fish | May 22-September 23 |
| Rhode Island | 18 | 8 fish | May 1-December 31 |
| Connecticut | 18 | 5 fish | May 17- September 21 |
| CT Shore Program (46 designed shore sites) | 16 | | |
| New York | 18 | 5 fish | May 17- September 21 |
| New Jersey* | 18 | 5 fish | May 21- September 25 |
| NJ Shore program site (ISBSP) | 16 | 2 fish | |
| New Jersey/Delaware Bay COLREGS** | 17 | 4 fish | |
| Delaware | 16 | 4 fish | January 1- December 31 |
| Maryland | 16 | 4 fish | January 1- December 31 |
| PRFC | 16 | 4 fish | January 1- December 31 |
| Virginia | 16 | 4 fish | January 1- December 31 |
| North Carolina | 15 | 6 fish | January 1- December 31 |

*New Jersey east of the COLREGS line at Cape May will have management measures consistent with the northern region of Connecticut – New York.

**New Jersey west of the COLREGS line at Cape May, NJ inside Delaware Bay will have a similar size limit to the southern region (DE-VA), the same possession limit as the southern region (DE-VA), and the same season length as the northern region of Connecticut – New York.

2016 Recreational Management Measures for Summer Flounder, Scup, and Black Sea Bass

Black Sea Bass State-by-State Recreational Measures for 2016

| State | Minimum Size (inches) | Possession Limit | Open Season |
|--|-----------------------|------------------|--|
| Maine | 13 | 10 fish | May 19-September 21; October 18-December 31 |
| New Hampshire | 13 | 10 fish | January 1-December 31 |
| Massachusetts | 15 | 5 fish | May 21-August 31 |
| Rhode Island | 15 | 3 fish | June 24- August 31 |
| | | 7 fish | September 1-December 31 |
| Connecticut (Private & Shore) | 15 | 5 fish | May 1-December 31 |
| CT Authorized Party/Charter Monitoring Program Vessels | | 8 fish | |
| New York | 15 | 3 fish | June 27- August 31; |
| | | 8 fish | September 1-October 31 |
| | | 10 fish | November 1-December 31 |
| New Jersey | 12.5 | 10 fish | May 23-June 19 |
| | 13 | 2 fish | July 1-August 31 |
| | | 15 fish | October 22-December 31 |
| Delaware | 12.5 | 15 fish | May 15-September 21; October 22-December 31 |
| Maryland | 12.5 | 15 fish | May 15-September 21; October 22-December 31 |
| Virginia | 12.5 | 15 fish | May 15-September 21; October 22-December 31 |
| North Carolina, North of Cape Hatteras (N of 35° 15'N) | 12.5 | 15 fish | May 15-September 21; October 22-December 31 |

2016 Recreational Management Measures for Summer Flounder, Scup, and Black Sea Bass

Scup State-by-State Recreational Measures for 2016

| State | Minimum Size (inches) | Possession Limit | Open Season |
|--|-----------------------|------------------|--|
| Massachusetts | 10 | 30 fish | May 1-December 31 |
| MA (For-hire Only) | 10 | 45 fish | May 1-June 30 |
| | | 30 fish | July 1-December 31 |
| Rhode Island (Private & Shore) | 10 | 30 fish | May 1-December 31 |
| RI Shore Program (7 designated shore sites) | 9 | | |
| RI (Party/Charter) | 10 | 30 fish | May 1-August 31; November 1-December 31 |
| | | 45 fish | September 1-October 31 |
| Connecticut | 10 | 30 fish | May 1-December 31 |
| CT Shore Program (46 designed shore sites) | 9 | | |
| CT DEEP Registered Party/Charter | 10 | 30 fish | May 1-August 31; November 1-December 31 |
| | | 45 fish | September 1-October 31 |
| New York | 10 | 30 fish | May 1-December 31 |
| NY (Anglers aboard Licensed Party/Charter Boats) | 10 | 30 fish | May 1-August 31; November 1-December 31 |
| | | 45 fish | September 1- October 31 |
| New Jersey | 9 | 50 fish | January 1-February 28; July 1-December 31 |
| Delaware | 8 | 50 fish | January 1-December 31 |
| Maryland | 8 | 50 fish | January 1-December 31 |
| Virginia | 8 | 30 fish | January 1-December 31 |
| North Carolina, North of Cape Hatteras (N of 35° 15'N) | 8 | 50 fish | January 1-December 31 |