

Fishery Management Report No. 39a
of the
Atlantic States Marine Fisheries Commission



**Addendum I to Amendment 4 to the Interstate Fishery
Management Plan For Weakfish**

December 2005

Acknowledgements

This Addendum was prepared by the Commission's Weakfish Plan Development Team Chair, Braddock Spear (Atlantic States Marine Fisheries Commission). Development of the document benefited greatly from the input of the Weakfish Plan Review Team, Technical Committee, and Stock Assessment Subcommittee. The Weakfish Management Board approved Addendum I on November 2, 2005.

**Addendum I
to Amendment 4 to the
Interstate Fishery Management Plan
for Weakfish**

INTRODUCTION

The weakfish program functions under the Commission's Interstate Fisheries Management Program (ISFMP), with immediate oversight provided by the Weakfish Management Board (Board). Amendment 1 to the original *Interstate Fishery Management Plan for Weakfish*, adopted in October 1991, was not successful in improving the status of weakfish. Amendment 2 was implemented in April 1995, and resulted in some improvement of the resource. Amendment 3, adopted in June 1996, was designed to reduce fishing mortality (F) to 0.50 by 2000, restore an expanded age structure, and restore fish to their full geographical extent. In 2000, the Board approved Addendum I to Amendment 3 in order to extend the current fishery management measures until the Board approved Amendment 4. Amendment 4 was approved in November 2002 and replaces Amendment 3.

Among other things, Amendment 4 established a biological sampling program. States that landed above 150,000 total pounds of weakfish annually were required to collect age and length samples from fish caught recreationally and commercially. Due to changes in the fishery since Amendment 4 was approved, the sampling program and requirements were no longer appropriate. This Addendum replaces the biological sampling program in Section 3.0 of Amendment 4.

STATEMENT OF THE PROBLEM

The weakfish stock assessment requires biological data collected from samples of recreational and commercial catch. The Amendment 4 sampling program was designed in a period of relative high abundance and landings of weakfish to collect that data. However, since the Amendment was approved biomass and landings have decreased to low levels. The program established by Amendment 4 is no longer appropriate. Under the program, states' required sampling levels are below what is needed to run a robust coastwide stock assessment.

Non-compliance was another issue that arose after the adoption of the Amendment 4 sampling program. Some states that were required to collect samples failed to do so. Details on how to address non-compliance with sampling requirements were not specified in the Amendment.

BIOLOGICAL SAMPLING PROGRAM

Sampling Intensity Level

States that have *de minimis* status for weakfish are not required to implement the provisions of this Addendum. States must use the most recent data available to determine their initial and subsequent years' sampling requirements. If a state collects its own commercial landings data, it will likely have the previous year's data available in February. For example, 2005 commercial landings data should be available by February 2006. If a state does not collect its own

commercial landings data, it should request preliminary figures from the National Marine Fisheries Service (NMFS) commercial database to determine its sampling requirements. If a state is unable to obtain commercial data from the national database prior to it becoming available publicly on the website, it should use the previous year's landings as a proxy to determine its sampling requirements for the current year.

Each non-*de minimis* state must:

- At least maintain its 2005 level of recreational sampling of individual lengths through Marine Recreational Fisheries Statistics Survey (MRFSS);
- Collect 6 individual fish lengths for each metric ton of weakfish landed commercially;
- Collect 3 individual fish ages for each metric ton of total weakfish landed with a maximum of 1000 ages annually per state [Samples may come from commercial and/or recreational fishery as long as they come from the same general area (inshore versus offshore) that those fisheries are prosecuted in.]

Non-*de minimis* states should attempt to stratify their samples throughout the variables listed below. The more 'boxes' filled with biological data, the more robust and reliable the stock assessments will be. States should stratify sampling by:

- fishery (commercial/recreational),
- type of gear,
- market grade (small, medium, large), and
- time of year (early/late, half or quarter year increments).

Annual Reporting

By the end of February each year, the Weakfish Plan Review Team (PRT) will compile preliminary landings data for the previous year or data from the most recent year available. It will send each state its projected sampling levels for that year. Each state is required by April 1 of each year to submit in writing its commitment to sample including the number to be collected for that year. The PRT will review the sampling plans and make recommendations for approval or disapproval at the next Board meeting. [Note: The initial review and implementation of the sampling program will follow the schedule at the end of this Addendum. In subsequent years, the timeline and process with regard to the sampling requirement will be as noted above.]

Annual state compliance reports are due September 1st of each year. States are required to include in the reports the number of samples collected in the previous year. States should present this information in as much detail as possible. For example, number of samples should be reported by fishery, gear, market dragged, and time of year. Once all reports have been received, the PRT will review each state's sampling requirements and actual samples collected for the previous year.

Compliance

The PRT will recommend to the Board that a non-*de minimis* state be found out of compliance if it fails to collect the required number of samples in a given year. The Board will review the PRT recommendations regarding non-compliance. If the Board determines that a state has not successfully implemented the required biological sampling program that state will be prohibited from harvesting weakfish until it develops, and the Board approves, a plan to collect the required samples the following year. The Management Board may also choose to forward a recommendation of non-compliance to the Policy Board for consideration. If the Board chooses to forward a recommendation to the Policy Board the non-compliance recommendation will be handled as described in the ISFMP Charter.

INITIAL IMPLEMENTATION SCHEDULE

States must submit by February 1, 2006, detailed plans to implement this Addendum for approval by the Management Board. States must implement the provisions of this Addendum no later than February 1, 2006.