

Atlantic States Marine Fisheries Commission

**Weakfish Technical Committee**

Conference Call: June 2, 2010

Summary Report

**Participants**

TC Members: Nicole Travisono (RI), Vic Crecco (CT), Christina Grahn (NY), Russ Allen (NJ), Michael Greco (DE), Jim Uphoff (MD), Ellen Cosby (PRFC), Joe Cimino (VA), Lee Paramore (NC), Erin Levesque (SC), Eric Robillard (GA), Joseph Munyandorero (FL), Douglas Vaughan (NMFS), Wilson Laney (USFWS)

ASMFC Staff: Nichola Meserve, Katie Drew

Other: Brian Hooker (NMFS)

**Objective:** Review the North Carolina Division of Marine Fisheries' proposal to implement a 10% bycatch allowance, with a 1,000 lb cap, for weakfish in lieu of the 100 lb trip limit prescribed in Addendum IV to Amendment 4, and develop technical advice for the Management Board.

**Technical Committee Conclusions**

- The data and methods used are appropriate for the proposal and technically sound. The NC Trip Ticket Program produces reliable harvest data, and data from 2005-2008 were used to produce harvest reductions based on a 10% bycatch allowance, with a 1,000 lb cap. Methods and assumptions were identical to those used in the trip limit analysis conducted for Addendum IV. The proposed options were evaluated in terms of harvest reduction as were the trip limit options for Addendum IV.
- According to the analysis, the 10% bycatch allowance with 1000 lb cap results in a marginally higher harvest reduction (59%) than the 100 lb trip limit for NC (58%). Addendum IV estimates a 61% coastwide harvest reduction from implementing a coastwide 100 lb trip limit. This reduction is based on available commercial trip level data for the Atlantic coast. The TC thus feels that, technically, the proposed option is conservationally equivalent to the 100 lb trip limit. Under current stock conditions (low F, high M), NC's discards are a minor component of the total weakfish removals.
- However, the TC has a number of caveats and concerns that the Board should consider in relation to the proposal:
  - ~ The two objectives of the proposal are to (a) make NC's weakfish fishery exclusively a bycatch fishery while (b) allowing the unselective, mixed fisheries to land a higher amount of incidental bycatch to avoid converting current landings into dead discards. Under current stock conditions, weakfish have not been targeted to any large extent from 2005-2008. However, the TC expressed concern that a percent bycatch allowance may not effectively prevent directed fishing, particularly in the event of stock rebuilding. Examples were given for other fisheries where, when the right economic conditions exist, there have been instances of vessels targeting a bycatch only species after filling limits for other species or by keeping junk fish onboard to fill the weight requirement for other species. If the percent bycatch allowance options do not effectively prevent targeting of

weakfish as the stock rebuilds, the harvest reduction will not be equivalent to the 100 lb trip limit.

- ~ While the proposed options are, on paper, conservational equivalents to the 100 lb trip limit for 2005-2008, this may change in the future if stock conditions change. Should natural mortality decline, and the stock begin to rebuild, the 10% bycatch allowance may not reduce harvest at the same percent as the 100 lb trip limit. If the proposal is approved through the alternative management process, the TC would recommend an annual review for conservation equivalency. For example, the TC could review NC's contribution to coastwide harvest; if it is much larger after implementing the bycatch allowance than it was in 2005-2008, this would indicate that the bycatch allowance is not reducing harvest in NC as much as the 100 lb trip limit is in other states. The TC did not recommend a certain trigger level prompting action to reconsider NC's regulations. NC's contribution to the coastwide commercial landings in recent years has been variable (approximately 20-40% of landings in weight).
- ~ The NC Marine Fisheries Commission's concern that certain fisheries will result in high discarding events under a 100 lb trip limit is not unique to North Carolina. Other states may desire to follow suite with similar proposals if this request is approved. However, few states have the quality of harvest data that NC does and may not be able to develop proposals that would be acceptable to the TC based on data limitations (although NC should not be punished for having good data). The Board may also want to consider if other states interested in similar alternative management should propose a bycatch allowance equivalent to the coastwide implementation of the 100 lb trip limit (61% harvest reduction) or the state-specific implementation of the 100 lb trip limit. For NC it was convenient that the coastwide and state-specific implementation of the 100 lb trip limit were expected to result in similar harvest reductions, but the case may not be the same for other states. Addendum IV did not evaluate reductions from the 100 lb trip limit on a state-by-state basis due to the lack of suitable data for many states.
- ~ Should the stock begin to rebuild, the potential for large discarding events in NC exists under either the 100 lb trip limit or the bycatch allowance with cap.
- ~ The Management Board should receive a report from the Law Enforcement Committee on the enforceability of the 100 lb trip limit compared to a 10% bycatch allowance with 1000 lb cap, before considering approval of the proposal. It was noted by the TC that other species under ASMFC currently operate on a bycatch allowance and one has existed for weakfish fisheries in some states (i.e., a trip limit and 50% bycatch allowance for gears not meeting minimum mesh size requirements).

As part of the discussion, two requests were made for NC to provide additional information subsequent to the conference call. These included the length frequency of weakfish in NC's commercial fishery, as well as the proportion and amount of weakfish in NC's scrap fishery.

- ~ Length frequencies for the period of 2005-2008 indicated that, by fishery, 1.8 to 9.0 percent of weakfish landed and sold by NC were sublegal. Of all gears, long hauls and ocean gill nets had the highest amount of sublegal weakfish at 7.5 and 9.0 percent. At least one TC member raised concern that, if the 10% bycatch allowance with a 1000 lbs cap is allowed in NC, the amount of sublegal weakfish being landed (as a proportion of the total catch) would be greater than what would be realized under the 100 lbs harvest limit allowed by Addendum IV. Other members of the TC did not see this concern as

relevant to the proposal, because the situation is likely not unique to NC, and length-frequencies were not taken into consideration for the Addendum IV analysis. It was countered that the data were relevant because NC has asked for alternative management.

- ~ By request, North Carolina also provided information on the magnitude of weakfish in the ‘scrap’ fishery. It was noted that landings of weakfish in the scrap fishery have decreased significantly since the implementation of Amendments 2, 3, and 4 of the Weakfish FMP. In NC, most weakfish in ‘scrap’ landings occurs in the ocean trawl and long haul seine fishery. Weakfish discards and ‘scrap’ are not included in harvested landings and were not considered in calculating harvest reductions in Addendum IV for any state. Based on estimates provided, ‘scrap’ weakfish would account for approximately 11% of all NC weakfish landed at the dock by weight.

Jim volunteered to provide the presentation to the Board in August if Lee is unavailable.

### **Other Business**

#### Board-Tasked White Paper on Discarding

Nichola reminded the TC about the task from the Board in February to a subcommittee of TC, AP, Board, and PDT members for a white paper on the potential for high discarding events under the 100 lb trip limit and possible management responses. She will be using some of the TC’s discussion to begin drafting the white paper and will be following up with several members of the TC for additional assistance.

#### Committee Vice-Chair

The TC elected Joe Cimino to be its vice-chair.