



Atlantic States Marine Fisheries Commission

NEWS RELEASE

*Working towards healthy, self-sustaining populations for all Atlantic coast fish species, or successful restoration
well in progress by the year 2015*

FOR IMMEDIATE RELEASE
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ASMFC Summer Flounder, Scup, and Black Sea Bass Board Approves Addendum to Allow Commercial Quota Transfers for Black Sea Bass and Scup Between States

Newport, Rhode Island – The Commission’s Summer Flounder, Scup, and Black Sea Bass Management Board approved Addendum XX to the Fishery Management Plan. Addendum XX allows for the transfer of commercial allocations for black sea bass (entire year) and scup summer period (May 1-October 31) managed under the Commission’s plans. As a practical matter, states routinely under harvest or slightly overharvest their state-specific allocations due to delays in reporting, inconsistencies in the data collection processes, and unanticipated changes in catch rates. The FMP requires that each state deduct overages from the following year’s quota when they occur. Addendum XX establishes a process to reconcile quotas to address states’ unintended minor overages through within-year transfers and end-of-year reconciliations.

The Addendum addresses three major issues: (1) state-to-state transfers, (2) quota reconciliation, and (3) quota distribution. State-to-state transfers may occur at any time in the fishing season up to 45 days after the last day of the fishing season. These transfers require a donor state (state giving quota) and a receiving state (state accepting additional quota). There is no limit on the amount of quota that can be transferred by this mechanism, and the terms and conditions of the transfer are to be identified solely by the parties involved in the transfer.

In a year where the coastwide quota or fishing period quota was not exceeded, any state-specific overage would be automatically forgiven in its entirety. In the event that the coastwide quota was exceeded, where multiple states seek reconciliation, the Commission staff would determine and notify Commission members of which states exceeded their state specific allocations. Commission staff would contact those states that under-harvested their allocations to confirm the accuracy and reliability of the data. A state with an underage would notify the Commission whether the underage could be transferred to the “common pool” to be re-distributed to states with overages.

Further, the Addendum establishes a negotiated distribution process whereby states with overages will develop a sharing agreement or formula to distribute the common pooled underage based on the nature of the overages in that given year. The unanimous agreement of the states with overages would be

The Atlantic States Marine Fisheries Commission was formed by the 15 Atlantic coastal states in 1942 for the promotion and protection of coastal fishery resources. The Commission serves as a deliberative body of the Atlantic coastal states, coordinating the conservation and management of nearshore fishery resources, including marine, shell and anadromous species.

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required to distribute underages in this manner. If unanimous agreement cannot be reached, then the common pool underage would be apportioned to each state based on the state's percent share of the quota as established by the FMP.

The Commission's Interstate Fisheries Management Program (ISFMP) Policy Board is currently addressing the broader concepts behind quota ownership, disposition of unharvested quota, and quota transfers, including a state's right to choose how to use quota allocated to them. The provisions of section 4.2 (automatic reconciliation) and 4.3 (distribution process) will expire at the end of the 2011 fishing year unless the Board takes action to modify or extend the provisions of the Addendum. The Addendum is not intended to be precedent setting for any decisions that may be made by the ISFMP Policy Board.

Addendum XX will be posted to the Commission's website at www.asmfc.org under Breaking News by November 15. For more information, please contact Toni Kerns, Senior FMP Coordinator for Management, at (202) 289-6400 or tkerns@asmfc.org.

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