The Process for Setting Recreational Regulations for Summer Flounder, Scup, And Black Sea Bass
Overview

- Describe the specifications process
- Timing of data inputs and decisions for setting recreational regulations
- The regulatory structure
- Challenges and tradeoffs among fishing measures
The Specification Process

Process by which fishing measures for the upcoming fishing year(s) are set (aka "specs."):  

- Includes data inputs/analyses, public meetings, advice and recommendations made along the way

- Complex process which includes state and Federal entities with overlapping jurisdiction
Advisory Groups for Specs.

- Council utilizes 3 types of standing advisory groups to throughout specs. decision processes:
  - **Scientific and Statistical Committee** - scientific advisors set upper limit on acceptable biological catch limits (as dictated by MSA)
  - **Monitoring Committees** (species specific) - technical group - biologist/assessments folks
  - **Advisory panels** - fishery perspectives (as required by MSA)
Council recommendations packaged to inform NMFS and public of impacts and tradeoffs among policy choices (NMFS implements):

- **“Commercial Package”**
  - Overall catch limits and landings limits (e.g., comm. quota and rec. harvest limit)
  - Commercial management measures

- **“Recreational Package”**
  - Recreational management measures
Action split into two packages for summer flounder, scup, sea bass, to ensure:

- Commercial quotas and recreational harvest limits implemented by January 1
- Recreational data used to develop management measures is the most recent
- Constraints on when data is available and how fast managers and regulators can move actions though system (regulatory constraints)
Science and Data Inputs

The Population

- Recruitment
- Growth
- Natural Mortality

- Fishing Mortality
- Catch Limits, Quotas, Recreational Harvest Limits
Recreational Data Inputs

- Marine Recreational Fisheries Statistics Program (will be MRIP) - national program

- Recreational data collection is challenging:
  - **Scale**: Millions of recreational anglers
  - **Diversity** of participants and fisheries
  - Data collection and communication face some similar challenges (**scale and scope**)
Recreational Data Inputs

- Recreational landings estimates composed of two parts:
  - *effort* (collected through phone survey in our region)
  - *catch rates* (intercept anglers to get catch per angler trips)
Timing: Recreational Data

- Effort is collected in two month recall periods, so the estimates literally come in waves.

Data-available

- Wave 1 Estimates
- Wave 2 Estimates
- Wave 3 Estimates
- Wave 4 Estimates

Data-collected

- Wave 1
- Wave 2
- Wave 1
- Wave 4
- Wave 5
- Wave 6
Recreational Data Inputs

- Northeast has highly seasonal fisheries (peaks in waves 3, 4, 5 (May-October))

- Use preliminary data during current year to inform changes to next year's recreational measure.

- Preliminary until April of year+1, when final wave 1-6 is delivered; integrates VTR data in the effort estimates for the For-Hire Survey.
“Wheel of Specifications”

Prior year data ready. Assessment Modeling

Peer Review or Assessment Update

Data Availability

Start of Fishing Year

Rec Wave 5

Rec Wave 4

Reports

Council/ Board Votes on “Comm. Package” including RHL

Submit “Comm. Package” to NMFS

Start of Fishing Year

Final Rule: “Comm. Package”


Assessment Modeling

Data Modeling

Assessment Report

Wave 4

Wave 5

May

June

July

Aug.

Sept.

Oct.

Nov.

Dec.

Jan.

Feb.

Mar.

Apr.

Comm. Package: Catch Limits; Comm. Quota/ Measures; RHL
Recreational Package: i.e. Size, Season, Possession Limits

- Mon. Ctte./Advisors Meets to form Recommendation on “Rec. Package”
- Submit “Rec. Pack.”
- Board Votes on Tech. Proposals
- Council/Board Votes on “Rec. Pack.”
- Start of Fishing Year

Final Rule: “Rec. Package”
- Votes on Overall Rec. Harvest Limits
- Staff Submit “Comm. Pack.”
- Survey Data Reports
- “Comm. Pack.”
- “Comm. Pack.” Final Rule
- Wave 5 Wave 4
- Council/Board Vote
- Mon. Ctte.
- Wave 4 Wave 5
- “Comm. Pack.”
- “Comm. Pack.”
- “Comm. Pack.”
- “Comm. Pack.”
The Wheel

- Staff from all the agencies involved work diligently to make sure all the pieces come together on time.

- Council recommendations forwarded must meet requirements of the MSA to be implemented by NMFS.
Requirements: New Terms

- Overfishing Limit (OFL)
- Acceptable Biological Catch (ABC)
- Annual Catch Limit (ACL)
- Annual Catch Target (ACT)

ACLs must have associated AMs.

Catch limits include both landings and discards (that end up dead)
Mid-Atlantic Approach

- OFL
- ACL = ABC
- ACT

Catch

Year

Soft Target

Triggers AMs
SSC recommends ABC

<table>
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<tr>
<th>Level</th>
<th>Type of Assessment</th>
<th>Mid Stocks Assessments in Each</th>
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<tbody>
<tr>
<td>1</td>
<td>Data rich, not uncertain</td>
<td>None: TBD by SSC</td>
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<tr>
<td>2</td>
<td>More scientific uncertainty</td>
<td>Some Mid-Atlantic Stocks may be a 2 or 3</td>
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<tr>
<td>3</td>
<td>.....even more uncertainty</td>
<td></td>
</tr>
<tr>
<td>4</td>
<td>Data poor and highly uncertain</td>
<td>Poorly assessed stocks, rejected assessment stock, etc. will fall here</td>
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</table>
Sector-Specific Accountability

**ABC = ACL**

*Rec. ACL* reduced by X% due to mgmt. uncertainty

*Rec. ACT*

*Comm. ACL* reduced by Y% due to mgmt. uncertainty

*Comm. ACT*
Addressing management uncertainty for summer flounder, scup, and black sea bass is sector-specific (rec. and comm. sector) 

Allow for data quality issues and fishery control to be considered for each fishing sector independently
This also means that...

- Recreational fishery is accountable if the Rec-ACL is exceeded
- There are consequences for exceeding the recreational ACL
  - Not as rigid as commercial sector (i.e., comm. landings overage deducted irrespective of whether comm-ACL is exceeded)
  - Not based on single year data comparisons to smooth data variability
Council Accountability

- Proactive AM: Use of ACTs
- Proactive AM: General inseason closure authority for the NMFS
  - If observed landings exceed the landings limit; Council was concerned about instability in projected data
  - Closure linked to more reliable and estimable component of rec catch; regulations regulate "retention" of fish (landed fish)
Recreational Harvest Limit

- Derived from the recreational ACT
- Landings portion of the catch target around which recreational regulations are developed
Recreational Measures

- Minimum size, season, possession limits are primary tools for recreational fisheries
- These measures control retention of fish (landings)
- Under the new system of catch limits, discards are part of this too.
Challenges: User Groups

- Different fishing modes (shore, private angler, party charter), different motivations
- Some anglers want to "take one home" versus "fill the freezer"
- Avid versus average angler
Challenges

Because we have to use current year data to inform upcoming year recreational measures, we assume:

- Fish availability, angling effort, and angler behavior will be the same
- Survey and modeling being done on behavior side (sent out through MRFSS)
Challenges: Availability

- Stock conditions have changed substantially for all three stocks since 2000.
- More, large fish available to fishermen. May see strong incoming year classes too.
- Want to maximize fishery participation, but don't want to go over the RHL and Rec-ACL.
- Sets up new regime for how regulations function and how effective they are.
Changing Paradigms

Pre-rebuilding

Post-rebuilding

10 inch minimum

Not Very Effective!
Changing Paradigms

- Shift the minimum size over to reduce landings, potentially end up with more discarding
- Bring in season and possession limits to shift the balance back over
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<tr>
<th>Catch per angler trip</th>
<th>Proportions of Anglers</th>
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<tr>
<td>1</td>
<td>53.35</td>
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<tr>
<td>2</td>
<td>72.41</td>
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<tr>
<td>3</td>
<td>81.14</td>
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<td>4</td>
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<tr>
<td>9</td>
<td>97.97</td>
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## Bag/ Size Tables

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## Seasons (Prop./days)

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<tr>
<th>State</th>
<th>Wave 1</th>
<th>Wave 2</th>
<th>Wave 3</th>
<th>Wave 4</th>
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</table>
Challenges: Effort

- Limiting regulations for one species, may cause effort to shift to other rec species
- Even if the fishery is closed, there can be catch-and-release fishing (that's still effort!)
- Hooks in the water catch what's there
We're complicated creatures

Individual expectations of what constitutes a satisfactory recreational fishing experience vary

The END.