Summer Flounder, Scup, and Black Sea Bass Monitoring Committee
2016 Recreational Measures Recommendations

Attendees: Mike Bednarski (MA DMF), Greg Wojcik (CT DEEP), John Maniscalco (NY DEC), Peter Clarke (NJ F&W), Rich Wong (DNREC), Steve Doctor (MD DNR), Katie May Laumann (VMRC), Holly White (NC DMF), Kiley Dancy (MAFMC Staff), Julia Beaty (MAFMC Staff), Kirby Rootes-Murdy (ASMFC Staff), Moira Kelly (NMFS GARFO), Mark Terceiro (NEFSC; via webinar)

The Monitoring Committee met on Monday, November 9 and Tuesday, November 10, 2015 in Providence, RI to recommend 2016 recreational management measures for summer flounder, scup, and black sea bass.

Summer Flounder

The Monitoring Committee agrees with the staff recommendation for conservation equivalency in 2016, and recommends continuing the regional approach. Due to concerns about stock status and the benefits of maintaining consistent measures over a number of years, the Committee recommends status quo measures in all regions, with possible changes in Delaware Bay. It is particularly important not to substantially liberalize measures in 2016 due to the decline in the harvest limits expected for 2017 and 2018. The Committee is particularly concerned about the unexpectedly low harvest estimate in New Jersey for 2015.

The Committee does not oppose exploration of alternative approaches for addressing the disparity in measures in Delaware Bay; however, the Committee recommends considering this issue in a cautious manner and making any size limit changes in a stepwise manner for 2016. The Committee recommends that additional recreational sampling be conducted in Delaware Bay, to augment sporadic Marine Recreational Information Program (MRIP) sampling at that spatial scale.

Conservation equivalency requires the specification of a set of non-preferred coastwide measures, as well as a set of precautionary default measures. As described in the staff memo, the non-preferred coastwide measures are a set of measures that would be expected to constrain harvest to the RHL if implemented on a coastwide basis. The combination of state or regional measures under conservation equivalency is designed to be “equivalent” to these coastwide measures. The non-preferred coastwide measures are included in the federal regulations but waived in favor of state- or region-specific measures. The precautionary default measures are a conservative set of measures that would be implemented in any state or region that failed to develop measures consistent with the conservation equivalency guidelines.
change to the non-preferred season given that it would be more likely to constrain landings to the 2016 harvest limit if implemented on coastwide basis.

For the precautionary default measures, the Committee recommends the same minimum size (20 inches TL) and bag limit (2 fish) used in 2015. For the precautionary default season, the Committee recommends an open season of May 15-September 15, to be consistent with the recommended changes to the non-preferred coastwide measures that would be more likely to constrain landings to the harvest limit. The Committee considered revising the precautionary default measures to be the combination of the most restrictive measures (bag, size, and season) across all states, but felt that this set of measures may not be sufficiently strict to encourage states to comply with the required regulations.

**Scup**

The Committee supports the ongoing regional approach for setting recreational scup measures in state waters. This approach provides flexibility for the states to accommodate the needs of the modes and areas for their individual states.

**The Monitoring Committee agrees with the staff recommendation of status quo management measures for both state and federal waters in 2016.** State regulations are complex by mode and wave. This makes calculating future regulations more difficult. Future efforts to simplify regulations would be beneficial for evaluating regulations, especially in cases when regulation changes are necessary.

If the fishery remains open in wave 1 (January 1-February 28) in some states and in federal waters, there should be recreational data sampling in place to produce comparable Marine Recreational Information Program (MRIP) estimates. Because of the large underages relative to the recreational harvest limit in recent years, and the fact that wave 1 is currently open only in federal waters and southern states, the Monitoring Committee does not feel that harvest occurring during wave 1 would impact performance relative to the RHL. However, the Monitoring Committee notes that it is important to document removals occurring from the fishery, and wave 1 catch is currently not incorporated into final catch estimates or into the stock assessment.

**Black Sea Bass**

After reviewing projected landings for 2015 as described in the staff memo, the Committee determined that the landings projection for Virginia (117,000 fish) was unrealistic. The Committee believes that the projection was inflated by a much higher than average wave 3 estimate in 2015 and a higher than average percentage of landings from wave 5 in 2014, resulting in a 2015 wave 5-6 projection that is not expected to be realized. The Committee revised the projections for Virginia using the average proportion of landings by wave from 2010-2014 (a period of consistent size limits and relatively consistent seasons), instead of 2014 alone as was used in the original projection. This results in revised 2015 projected Virginia landings of 103,891 lb or 63,650 fish, which the Committee believes is a more realistic, though conservative, projection.
As a result, the 2015 coastwide projected landings are revised to 3.35 million lb or 2.02 million fish. Based on these projections, a coastwide reduction of 15.8% would be required in order to constrain landings to the 2016 recreational harvest limit.

Extremely high availability of black sea bass in the northern states (New Jersey through Massachusetts) is resulting in recreational overages despite very restrictive management measures. For the past few years, catch and harvest limits have been set at levels that are not reflective of current abundance, placing undue stress on the fisheries. The Committee recognizes that the Scientific and Statistical Committee’s new methodology for recommending catch limits is a positive step toward reconciling this disconnect, in that it incorporates important indices of abundance. The Committee expects that this will reduce recreational management uncertainty in 2016. The Committee hopes that a revised stock assessment will provide abundance estimates that can be fully utilized in the catch limit setting process. Under the constraints of the current system, the Monitoring Committee is being forced to recommend severely restrictive measures to constrain landings to the harvest limit.

The Committee notes that the 2011 year class of black sea bass is much larger than any other recent year class, and is contributing significantly to high availability in the northern states. There has been no indication of high recruitment after 2011, and the Committee expects the 2011 year class to be fully recruited to the fishery at this time. The Committee noted that this year class is currently being fished down quickly, with no indication of similarly large year classes coming in behind it.

The Committee recommends continuing with the ad-hoc regional approach, but encourages the development of more consistent regulations between states within the regions. The Monitoring Committee notes that the difficulty of analyzing the effects of new regulations increases with management complexity and hyper-customization of measures. One of the intended benefits of ad-hoc regional management was to have similar regulations by region. Complex sets of measures, including splits by mode, season, and sector, continue to be implemented, contrary to previous recommendations of the Monitoring and Technical Committees. Additionally, MRIP data for state, wave, and mode combinations is typically associated with very high PSEs that often are higher than the percentage of the landings adjustment required. The Monitoring Committee also notes that MRIP has undergone many changes in recent years, including changes to sampling, statistical design, and effort surveys (yet to be implemented). The effects of these changes do not appear to be consistent across states or regions.

The Committee disagrees with the staff recommendation to split the necessary reduction (15.8%) between the northern and southern states/federal waters. The Committee recognizes that as a species managed on a coastwide basis, a shared reduction would be equitable; however, only about 4-5% of the harvest has originated from the southern states (Delaware through North Carolina) in recent years. A 15.8% reduction in the southern region would be equivalent to approximately 16,000 fish, and would have a minimal impact on reducing harvest on a coastwide basis. Given the continued low harvest in the southern region, the Committee recommends that the required reduction be taken in the northern states (New Jersey through Massachusetts). This would require a 16.6% reduction in harvest from the northern states in order to result in a 15.8% reduction on a coastwide basis.

A low percentage of black sea bass landings come from federal waters in the north, while the opposite is true in the south. Because anglers would be bound by the more restrictive state waters
measures in the north, the Monitoring Committee recommends keeping federal and southern states regulations status quo to allow reductions to be taken where the vast majority of harvest is occurring.

Landings projections and the required reduction should be re-evaluated once wave 5 data becomes available. If the wave 5 landings in the southern states are substantially higher than projected, the Committee recommends reconsidering maintaining status quo measures in the southern states.

When crafting state regulations in the northern region, the Committee recommends that particular attention be paid to modes and waves that result in particularly volatile harvest estimates, in order to comply with the Council’s Accountability Measures (AMs) by more fully considering the performance of previous recreational measures and taking into account the conditions that have precipitated recent overages.

The Committee discussed changes in the average weight of black sea bass (see staff memo), and notes that the Technical Committee’s current adjustments under ad-hoc regional management are typically made in numbers of fish and don’t necessarily account for changes in fish weight. This has implications for a species managed with a weight-based harvest limit. The Technical Committee intends to explore a more quantitative treatment of changes in weight when crafting state measures for 2016.

The Monitoring Committee held a workshop in October 2015 to review methods, datasets, and considerations for recommending and evaluating recreational management measures.² The Committee identified several recommendations and additional tools that could be used to improve the current process of evaluating recreational measures, and will continue to explore these in the short and long term.

If the adjustments to the northern states measures do not address the required reduction, a backup set of measures would need to be implemented that would be expected to constrain landings to the RHL. If the ad-hoc regional measures developed through the Commission’s process do not address the required reduction, the Committee recommends backup coastwide measures including a 14-inch TL minimum size, a 3 fish possession limit, and an open season from July 15-September 15. These measures represent some of the most restrictive size, possession, and seasonal limit across all states.

The National Standard 1 guidelines state that if an Annual Catch Limit (ACL) is exceeded more than once in a four year period, the "system of ACLs and AMs should be re-evaluated, and modified" to "improve its performance and effectiveness."³ The recreational black sea bass ACL has been exceeded in each of the past 3 years by an average of approximately 38 percent; therefore, the Council should consider changes to the ACL and AM system to comply with this provision of the National Standard guidelines. The Monitoring Committee recommends that the Council and Board pursue an amendment to the FMP to explore alternative approaches to managing the recreational black sea bass fishery, in order to simplify and clarify the recreational process and regulatory framework for black sea bass, and reconcile inconsistencies in the Council and Commission FMPs.

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² A summary of this workshop will be posted on the Council’s website at www.mafmc.org.
³ 50 CFR 600.310(g)(4)