

August 2017 Council Meeting Report

August 8-10, 2017

Philadelphia, Pennsylvania

The following summary highlights actions taken and issues considered at the Mid-Atlantic Fishery Management Council's August 2017 meeting in Philadelphia, PA. Presentations, briefing materials, and webinar recordings are available on the Council website at www.mafmc.org/briefing/august-2017.

Summer Flounder, Scup, Black Sea Bass, and Bluefish Specifications

The Council met jointly with the Atlantic States Marine Fisheries Commission's (Commission) Summer Flounder, Scup, and Black Sea Bass Board (Board) and Bluefish Board to review previously implemented 2018 specifications for summer flounder, scup, black sea bass, and bluefish, and to consider setting specifications for scup for 2019. The table below summarizes commercial quotas and recreational harvest limits for summer flounder, scup, black sea bass, and bluefish (2017 values are provided for comparison purposes). Note that scup specifications for 2019 will be reviewed by the Council and Board in 2018.

Species	Year	Commercial Quota (millions of pounds)	Commercial Minimum Fish Size (TL)	Commercial Diamond Mesh Size	Recreational Harvest Limit (millions of pounds)
Summer Flounder	2017	5.66	14"	5.5"	3.77
	2018	6.63	14"	5.5"	4.42
Scup	2017	18.38	9"	5"	5.50
	2018	23.98	9"	5"	7.37
	2019	23.98	9"	5"	7.37
Black Sea Bass	2017	4.12	11"	4.5"	4.29
	2018	3.52	11"	4.5"	3.66
Bluefish	2017	8.54	Varies by state		9.65
	2018	7.24	Varies by state		11.58

Summer Flounder

The Council and Board received a data update for summer flounder, including updated catch, landings, and survey indices through 2016. The Council and Board maintained the previously implemented 2018 specifications, set in August 2016.

A benchmark stock assessment for summer flounder is tentatively scheduled for peer review in late 2018. An assessment working group is currently being formed to begin work on this assessment in order to consider alternative modeling approaches.

Scup

The Council and Board received an assessment update for scup, incorporating data through 2016. The assessment update indicates that the stock was not overfished and overfishing was not occurring in 2016. Spawning stock biomass is estimated to be 206% of the biomass target. The Council and Board adopted the revised 2018 Acceptable Biological Catch (ABC) recommended by the Scientific and Statistical Committee (SSC), which represents a substantial (45%) increase over the previously implemented 2018 ABC. However, given the

Council’s goal of maintaining stable measures over 2018-2019, and taking into account some management uncertainty issues raised by the Monitoring Committee, the Council and Board adopted a slightly lower Annual Catch Target (ACT) for 2018 compared to what would be taken if the ACT were set equal to the Annual Catch Limit (ACL). The ACTs adopted for 2018-2019 are based on the calculations for 2019 that assume ACL=ACT. The resulting commercial quota for 2018 and 2019 is 23.98 million pounds, and the 2019-2019 recreational harvest limit is 7.37 million pounds.

Black Sea Bass

The Council and Board received a data update for black sea bass, including updated catch, landings, and survey indices through 2016. The data update indicates that black sea bass biomass continues to be high, and the 2015 year class appears to be above average. The Council and Board maintained the previously implemented 2018 specifications, set in February 2017 based on stock projections from the December 2016 assessment update. An assessment update is tentatively scheduled for black sea bass in 2018.

Bluefish

The Council and Commission did not recommend any changes to the 2018 specifications for bluefish. The 2018 commercial quota and recreational harvest limit are preliminary and will likely change following release of 2017 final Marine Recreational Information Program harvest estimates. These estimates can impact how much is transferred from the recreational sector to the commercial sector. Additionally, an assessment update is scheduled for 2018.

Summer Flounder Amendment

The Council and Board considered the July 2017 recommendations from the Council’s Demersal Committee on draft commercial issues alternatives within the Comprehensive Summer Flounder Amendment.

Federal moratorium permits: The Council and Board accepted the Committee recommendation to move forward with analysis of requalifying criteria options for existing federal summer flounder moratorium permits, and to drop alternatives based on tiered permit systems. Several qualifying time period and landings threshold options were recommended for analysis, as listed below, resulting in a total of 20 initial options for time period/landings threshold combinations. These management options would not apply to state-specific permits.

Qualifying time period and landings threshold options recommended for analysis

Time periods:	Landings thresholds:
<ul style="list-style-type: none"> • August 1, 1994 – July 31, 2014 (20 years) • August 1, 1999 – July 31, 2014 (15 years) • August 1, 2004 – July 31, 2014 (10 years) • August 1, 2009 – July 31, 2014 (5 years) 	<ul style="list-style-type: none"> • Landed ≥1 lb in any one year in the time period • Landed ≥ 1 lb in 20% of the years in the time period • Landed a ≥ 1 lb in 40% of the years in the time period • Landed ≥ 1 lb in 60% of the years in the time period • Landed at least 1,000 lb cumulatively over the entire time period

These options are based on the federal summer flounder control date published August 1, 2014; however, the Council and Board noted that they may consider revising the specific start and end dates to align with the permit year or the fishing year.

Commercial Allocation: The Council and Board considered the Committee recommendation to postpone indefinitely any analysis of commercial allocation options in this amendment, but did not approve this motion. Commercial allocation options will be considered by the Demersal Committee at their next meeting.

Landings Flexibility: The Council and Board approved the Committee recommendation to encourage states to develop cooperative agreements toward more flexible landings policies for commercial summer flounder. The Council and Board also voted to remove landings flexibility as an immediate management option within the amendment but to include an option to add landings flexibility as a frameworkable issue within the Council's fishery management plan (FMP).

Black Sea Bass Recreational Issues

The Council and Commission discussed various recreational black sea bass issues and potential management actions for 2018. An update was provided on recent Commission activities including changes to the Wave 6 (November-December) possession limits and the development of draft addendum XXX that will establish state recreational management measures in 2018. The Council and Commission also discussed the potential re-opening of the recreational Wave 1 (January-February) black sea bass fishery in 2018. After extensive discussion and deliberation, the Council and Commission ultimately decided not to open the Wave 1 fishery in 2018 due to concerns about the implications to the rest of the 2018 recreational season and the potential disproportionate impacts to states that may not participate in the Wave 1 fishery. The Council is continuing its development of a framework that would open the Wave 1 fishery in federal waters in 2019 under a Letter of Authorization program.

Atlantic Surfclams and Ocean Quahogs

Excessive Shares Amendment

Council staff presented a summary of scoping comments on the Excessive Shares Amendment. The amendment will consider options to ensure that no individual, corporation, or other entity acquires an excessive share of the Surfclam and Ocean Quahog Individual Transferable Quota (ITQ) privileges. In addition, the amendment will include a review and potential revision of the goals and objectives for the SCOQ FMP.

The Council held 4 public hearings and received 24 written comments during the scoping process. All of the comments were provided by individuals or groups associated with the commercial surfclam and ocean quahog industry, all of whom expressed opposition to development of an excessive shares definition. Commenters generally felt that the amendment is not necessary because the FMP goals and objectives are continuing to work well and the excessive shares issue has already been adequately addressed through Amendment 8 to the SCOQ FMP. However, guidance from NOAA's Office of General Counsel has indicated that additional action is needed to ensure that the SCOQ FMP is in compliance with the requirements of National Standard 4 guidelines under the Magnuson-Stevens Fishery Conservation and Management Act. The Council considered these comments and agreed to proceed with development of a range of alternatives for discussion at a future meeting.

Information and updates on this amendment are available at <http://www.mafmc.org/actions/scoq-excessive-shares-amendment>.

Surfclam Overfishing Limit

The Council revisited issues related to the Atlantic surfclam OFL and ABC. As background, in June 2017 the Council received the results of a benchmark stock assessment for Atlantic surfclams. Although the stock was not overfished and overfishing was not occurring, the SSC determined that the OFL reported in the assessment was unreliable, and decided not to specify an OFL for 2018-2020. Members of the surfclam industry expressed concern that the lack of an OFL could jeopardize the industry's certification with the Marine Stewardship Council (MSC). In response to these concerns, the Council agreed to review the issue further.

During the meeting, staff presented information regarding MSC certification and the role of SCS Global, which determines whether the fishery meets the MSC standards. After considering this information, as well as the sustainable condition of the fishery and the governance/management process in place, the Council did not recommend further action to be taken to modify the OFL and/or ABC. Several members of the public expressed

opposition to this conclusion. The Council considered these comments and agreed to send a follow-up letter to the Northeast Fishery Science Center to request the assessment scientists continue to work to improve the stock assessment. The SSC will receive updated information to review its ABC recommendations in 2018.

Risk Policy Omnibus Framework

The Council held the first meeting for the Risk Policy Omnibus Framework Action. In 2010, the Council approved an Omnibus Amendment which implemented mechanisms to specify ABCs, ACLs, and accountability measures for all managed resources contained within its six FMPs to bring them into compliance with the new requirements of the Magnuson Stevens Act Reauthorization of 2007. This amendment contemplated a Council review of the ABC control rules it established after five years of implementation in cooperation with its SSC. As a result, the Council has initiated a Risk Policy Omnibus Framework to provide for a review of the existing ABC control rule framework and risk policy and to recommend any changes, as appropriate. This action is expected to be completed in December 2017.

Ecosystem Approaches to Fisheries Management Risk Assessment

In 2016 the Council approved the "Ecosystem Approach to Fisheries Management (EAFM) Guidance Document." An integral part of this document was the initial steps toward the development of a matrix of Risk Elements. During the meeting, the Council reviewed the existing elements, many presented in the guidance document, and provided feedback and suggestions for additional risk elements that should be considered. Staff will use these elements to work with the NEFSC, EOP Committee, and Species Committees to identify existing information sources for each element and develop an initial ranking of Risk Elements for Council consideration at the October Council meeting. The final risk elements and rankings will be integrated into the Council's 2018 implementation plan and 5-year strategic plan (2019-2023) to identify potential actions needed to develop science and management responses to the prioritized risk elements.

Other Business

Martha's Vineyard/Nantucket Squid Buffer Framework

The Council has recently received a number of public comments regarding the longfin squid fishery activity south of Nantucket. The Council included consideration of buffer zone options in this area on its list of "Possible Additions" in the 2017 Implementation Plan. The Council expects to hold a first framework meeting in December 2017. If the Council decides to move forward with the framework, a second and final framework meeting would likely be held in April 2018.

Webinar Policy

The Council reviewed a draft policy regarding webinar procedures for various types of meetings. The final policy is available at <http://www.mafmc.org/s/MAFMC-Webinar-Policy.pdf>.

2018 Council Meetings

The schedule of 2018 Council meetings available on the Council website at www.mafmc.org/meetings.

Next Meeting

October 10-12, 2017

Hyatt Long Island East End
451 East Main St., Riverhead, NY 11901
(631) 208-0002