



**Summer Flounder, Scup, and Black Sea Bass Monitoring Committee
2018 Recreational Measures Recommendations
(Draft as of 11/17/17)**

Monitoring Committee Attendees: Tiffany Cunningham (MA DMF), Greg Wojcik (CT DEEP), John Maniscalco (NY DEC), Peter Clarke (NJ F&W), Rich Wong (DNREC), Steve Doctor (MD DNR), Joe Cimino (VMRC), T.D. VanMiddlesworth (NCDMF; via webinar), Kiley Dancy (MAFMC staff), Julia Beaty (MAFMC staff), Brandon Muffley (MAFMC staff), Kirby Rootes-Murdy (ASMFC staff), Caitlin Starks (ASMFC staff), Mark Terceiro (NEFSC; via webinar), Emily Gilbert (NMFS GARFO), Jason McNamee (RI DEM; Tuesday only)

Other Attendees: Tony DiLernia (MAFMC Demersal Committee vice chair); Morgan Brunbauer (NY DEC; via webinar)

The Monitoring Committee met on Monday, November 13 and Tuesday, November 14, 2017 in Linthicum, MD to recommend 2018 recreational management measures for summer flounder, scup, and black sea bass.

Summer Flounder

The Monitoring Committee agrees with the staff recommendation for regional conservation equivalency in 2018.

The Committee discussed whether measures (both the non-preferred coastwide measures and the conservation equivalency regional measures) should be liberalized in 2018 given the projected underage of the 2017 RHL and the increase between the 2017 and the 2018 RHL. The group recommends not taking the full percentage liberalization that would be calculated by comparing the 2017 projected harvest to the 2018 RHL (36%), for several reasons. The Monitoring Committee notes that 2017 appears to be a very anomalous year in terms of low harvest and effort in nearly all states. The Committee discussed that this is likely due to a combination of low availability and other factors that have impacted effort in 2017, including weather. Making adjustments under the assumption that effort and catch rates will be similar between 2017 and 2018 may result in large overages in 2018 if effort and success rates increase in 2018. The Committee considered that under consistent measures in recent years (2014-2016), harvest varied as much as 50%. 2015 harvest estimates were significantly lower than projected despite keeping measures *status quo* from 2014, while between 2015 and 2016, harvest increased substantially under the same management measures.

The Committee is also concerned with the stock status of summer flounder, including declining biomass bringing the stock close to being overfished. Although the July 2016 projections show a predicted increase in biomass between 2017 and 2018, in recent years, projected increases in biomass have not been realized. Recent catches have not substantially exceeded the annual catch limits; however, projected fishing mortality rates have been exceeded and projected biomass has not been reached, mainly due to below average year classes in 2010-2015. Stock projections for

2018 were not updated in 2017. Additionally the Committee noted that nearly all the ongoing fishery independent survey data through 2016 continues to demonstrate a decrease in abundance from their most recent peak (generally 2009-2012), according to the data updated provided by the NEFSC in July 2017. For these reasons, the Monitoring Committee is concerned that the projected increase in biomass may not be fully realized.

In addition, the Monitoring Committee is moving toward developing a system of recreational evaluation and response that considers the variability in the Marine Recreational Information Program (MRIP) data, with the aim of moving away from making substantial changes in either direction to recreational measures on an annual basis.

For the reasons described above, Committee recommended that **any liberalizations not exceed 17% relative to 2017 projected harvest**. This is approximately the increase associated with the percent change between the 2017 RHL and the 2018 RHL. Additionally, the group recommended some parameters for any potential liberalizations to state and regional measures under the Commission's process for conservation equivalency, if conservation equivalency is approved for 2018 by the Council and Board. Specifically, if states or regions chose to liberalize their measures for 2018, increases to state or regional possession limits should be no more than an increase of 1 fish, and consistent approaches should be used for calculating changes to season length. These recommendations draw on previously noted concerns over likely changes in effort and harvest in 2018.

Conservation equivalency requires the specification of a set of non-preferred coastwide measures, as well as a set of precautionary default measures. The Monitoring Committee recommends slight modifications to the non-preferred coastwide measures in 2018, including a **minimum size of 18 inches, a 4 fish possession limit, and an open season July 1- September 3**. Preliminary analysis to project the potential impact of these measures used 2016-2017 average harvest rates, due to the Committee's concerns that using 2017 data alone would produce unrealistically low estimates given how anomalous 2017 harvest appears to be. This analysis indicated that these non-preferred coastwide measures would be expected to result in approximately a 17% increase relative to 2017 projected harvest.

If 2018 catch rates are more in line with 2016, these measures would be expected to result in approximately 4.3 million pounds of harvest (just below the 2018 RHL). Compared to the non-preferred coastwide measures adopted for 2017, this recommendation represents a 1-inch decrease in the size limit, no change in the possession limit, and a 42-day decrease in the non-preferred coastwide season.

The Committee agrees with the staff recommendation for no changes to the current precautionary default measures, which are intended to be more conservative than any individual state or region might implement and do not need to be directly tied to changes in the RHL. These precautionary default measures include a **minimum size of 20 inches, a possession limit of 2 fish, and an open season of July 1-August 31**.

Scup

The Committee supports the ongoing regional approach for setting recreational scup measures in state waters.

The Monitoring Committee agrees that although projected 2017 recreational harvest (4.49 million pounds) is 39% below the 2018 RHL (7.37 million pounds), **federal waters recreational measures should remain *status quo***. Federal waters measures have included a nine inch total length minimum size, a 50 scup bag limit, and a year-round open season since 2015. The Monitoring Committee does not see the need to modify these measures as they are already considered quite liberal, and because the vast majority of harvest occurs in state waters.

With the exception of special shore mode programs in Rhode Island and Connecticut, all states from Massachusetts through New York have a ten inch minimum size for all modes. The Monitoring Committee discussed the possibility of a decrease in the New York shore mode minimum size limit from 10 inches to 9 inches. The Monitoring Committee agrees that such a change would not likely result in an RHL overage; however, they are concerned about enforcement of different regulations for different modes (e.g. shore vs. ocean). For example, enforcement of the Connecticut shore program is simplified because it is limited to shore sites where anglers are unlikely to harvest scup from other modes (e.g. because there are no docks or access ramps). A decrease in the minimum size for the shore mode could increase access to scup for shore-based anglers. Larger scup are more available offshore; therefore, a decrease in the minimum size in offshore waters may not result in notable benefits for anglers. The Monitoring Committee agrees that consistency across modes and states is beneficial from an enforcement and compliance perspective. They wanted to evaluate length frequencies of landed fish by state and mode before discussing a consistent nine inch minimum size across states and modes. It could be possible to complete such an evaluation before the Commission discusses state waters recreational management measures in February 2018.

Black Sea Bass

The 2018 black sea bass recreational harvest limit (RHL) is 3.66 million lb, a decline of nearly 15% from the 2017 RHL of 4.29 million lb. The coastwide (north of Cape Hatteras, NC) projected harvest for 2017 is 3.79 million lb or 2.11 million fish. The 2017 projected harvest estimate is 12% below the 2017 RHL of 4.29 million lb and lower than the 2016 harvest estimates by 27% in weight and 17% in numbers of fish.

When evaluating the projected 2017 harvest to the 2018 RHL of 3.66 million lb, an approximate 3.5% reduction in harvest would be needed in 2018. Given the reduction needed is much smaller than the uncertainty around the current harvest estimate (PSE of 10.2) and given the current positive condition of the black sea bass resource, including an above-average 2015 year class; **the Monitoring Committee agrees with the staff recommendation that no reduction in recreational management measures in 2018 is needed**. However, the Committee notes that the 2017 projections use information through wave 4 which typically only accounts for 65% of the annual harvest, and wave 5 and 6 estimates can be highly variable. Therefore, further evaluation will be necessary once data from additional waves becomes available.

The recreational fishery had large overages from 2012 – 2016 with the RHL being exceeded by 66% on average during this time period. Based on a comparison of the 3-year average (2014-2016) ACL to the 3-year average of catch, the black sea bass ACL has been exceeded, on average, by 72%. This would trigger the implementation of Accountability Measures (AMs) for the recreational fishery. However, **the Monitoring Committee agrees with the staff recommendation that AMs should not be implemented in 2018.** Similar to the justification for not applying an AM for the 2017 recreational fishery, the Committee notes the 2012 – 2016 recreational overages occurred when the black sea bass stock was rapidly expanding and availability to recreational anglers was very high. At the same time, due to the lack of an approved stock assessment for black sea bass the recreational harvest limits were set at levels not reflective of the large and increasing stock abundance. Had the benchmark assessment been available to set specifications, recreational harvest limits would likely have been significantly higher, and overages would likely not have occurred to the same degree.

Staff recommended removal of the current federal waters closure from September 22 – October 21, resulting in a continuous season. Staff also recommended a reduction in the federal waters possession limit from 15 to 10 fish and a *status quo* 12.5 inch minimum size limit. This recommendation aims to implement a continuous season without resulting in an increase in harvest. To achieve this goal, the beginning and/or end dates of the season would need to be modified. The Monitoring Committee supports the recommendation in concept and the potential management and fishery benefits it could provide. However, the Monitoring Committee is concerned about the loss of days in either May and/or December to account for the days gained in September and October, and recommended requesting additional input from advisors and the public on the tradeoffs associated with these potential adjustments. May and December represent important time periods for certain aspects of the recreational sea bass fishery. In addition, current federal season dates are aligned with the seasons for other recreational species (e.g. tautog). Modifying the federal season could shift effort to these other species. Therefore, **the Monitoring Committee recommended *status quo* federal water measures in 2018 which include a 12.5-inch minimum size, a 15-fish possession limit, and open seasons from May 15 – September 19 and October 22 – December 31.** The Committee also recommended considering changes to the fishery management plan that would implement a recreational conservation equivalency structure similar to summer flounder, in which federal waters measures would be waived in favor of appropriately implemented state specific measures.

The Committee provided recommendations on how to allocate landings, estimate harvest, and sample the February fishery in 2018 and considerations for the potential wave 1 fishery under a Letter of Authorization (LOA) program that may take place in future years. For the 2018 February fishery, the Committee recommended apportioning the 100,000 lb to each state based on their average wave 1 black sea bass catch estimated by using federal for-hire VTR data from 1996 – 2009 and 2013. In addition, the Committee would like more information on how the states will adjust for their share of the 100,000 lb apportioned to the wave 1 fishery, how shares will be determined if states don't participate, and what harvest states will be held accountable for. With regard to a future LOA program, the Committee recommended that this program should require monitoring of harvest and discards, and reported harvest under the LOA program should be compared to estimates from MRIP.

Lastly, Commission staff presented the ASMFC's draft Addendum XXX which contains options for regional allocations, approaches with uniform regulations (e.g., number of days) and other alternatives to the current North/South regional delineation. Commission staff noted that in addition to other requested information regarding how harvest in February 2018 will be accounted for, without knowing which states will participate in the February 2018 fishery, further development of example regional management measures for option 2 is not possible at this time.

Recreational Management Analysis Comments

The Monitoring Committee continued ongoing discussions of general recreational issues and ways to improve the process of evaluating and adjusting recreational measures for all three species. In particular, the 2016 harvest estimates for black sea bass and reduction in the 2016 to 2017 RHLs for summer flounder had led to the Commission's Board tasking the Technical Committee with developing approaches to address variability in the annual harvest estimates earlier this year. Previous efforts to address those tasks earlier this year resulted in preliminary analysis that the group is working to complete. Based on updated preliminary analysis the group was in agreement that a 'smoothing' approach could be used in future years to further evaluate estimates as part of broader changes in the annual specification process. The group discussed that any smoothing approach would need to be developed through a more structured methodology for considering uncertainty and outliers in the recreational data, as well as using different approaches tools to improve catch projections and make adjustments to management measures. The Monitoring and Technical Committees plan to continue development of this work in 2018.