Summer Flounder, Scup, Black Sea Bass
Framework and Addendum on
Conservation Equivalency, Block Island Sound Transit, & Slot Limits

Council and Board Meeting
December 11, 2018
Alternatives/Options

- Set 1: Black sea bass conservation equivalency (CE)
- Set 2: Summer flounder CE
- Set 3: Block Island Sound transit
- Set 4: Slot limits (Council only)
BSB Conservation Equivalency

- 1A: No action
- 1B: Allow BSB recreational conservation equivalency (CE) using summer flounder process
- 1C: Allow BSB recreational CE using summer flounder process and allowing CE to rollover from one year to next *(not approvable by GARFO)*
Summer Flounder CE process

**Dec:** Council/Board - coastwide measures or CE? If CE:
- Non-preferred coastwide measures
- Precautionary default measures

**Jan:** States/regions submit proposals, TC reviews

**Feb:** Board considers proposals for approval

**Apr:** Commission sends letter to NMFS certifying that state/regional measures will constrain harvest to RHL

**May:** NMFS waives federal waters measures through Dec 31
CE Alternatives/Options

- This action does not
  - Implement BSB CE
  - Define the approach for determining state/regional measures (RHL allocations, data to be used, methodology, etc.)

- Details of CE in any given year will be determined through future ASMFC actions

- Current summer flounder process allows for state-by-state or regional measures – BSB alternatives would also allow that
CE Rollover

- Fed waters measures typically waived in May
- From Jan 1 – May, non-preferred coastwide measures are in effect in federal waters
- For CE to roll over (1C), non-preferred and precautionary default measures would need to be appropriate for RHL in both years
- **GARFO has indicated they cannot approve CE rollover**
Potential Impacts of BSB CE

Impacts to black sea bass

- Fishing effort/mortality primarily constrained by RHL
- RHL based on best available science, intended to prevent overfishing = positive impacts
- CE won’t have different impacts than RHL
Potential Impacts of BSB CE

*Positive socio-economic impacts*

- Federal waters measures would not be different than state waters
- State waters regs can be tailored to fishery characteristics in individual states/regions (vs uniform coastwide measures in fed waters)
- Potential for increased angler satisfaction, decreased confusion and non-compliance
Potential Impacts of CE Rollover

- Administrative in nature – no impacts to black sea bass or summer flounder stocks
- Positive socio-economic impacts
  - Would not need rule-making to waive fed measures each year (time and cost savings)
  - Would not have different fed/state measures for only part of the year
  - Reduced potential for angler confusion
Summer Flounder CE Rollover

- 2A: No action
- 2B: Allow summer flounder CE to rollover from one year to next
- GARFO has indicated they cannot approve CE rollover
Fishermen must abide by federal regulations when returning to the mainland from state waters around Block Island.

Recent fall BSB rec. closure in federal waters, but open in state waters.
All alternatives are for

- Summer flounder, scup, black sea bass
- Legally authorized fishermen/vessels without active federal permits
  - Federal permit holders are bound by more restrictive of state or federal regs
- Differences in state vs federal bag, size, and season
Block Island Sound Transit

Step 1: Allow Transit?

3A
No action. No transit provisions for Block Island Sound

OR

3B
Allow transit in a defined area for defined fishermen/vessels

Step 2: Where?

3B-1
RI-RI state waters corridor

OR

3B-2
Striped bass transit area

Step 3: Who?

3B-3
Legally authorized recreational fishermen/vessels

OR

3B-4
Legally authorized recreational and commercial fishermen/vessels
Transit in which area?

- 3B-1 RI-RI state waters corridor
Transit in which area?

- 3B-2 Striped bass transit area
Transit for which fisheries?

- 3B-3 Recreational
- 3B-4 Recreational and commercial
Potential Impacts

*Impacts to summer flounder, scup, and black sea bass*

- Slight increase in fishing effort in state waters around Block Island
- Degree of increase depends on alternative(s) selected
- Fishing effort/mortality will continue to be primarily constrained by the RHL and quota
- RHL/quota based on best available scientific info, intended to prevent overfishing = positive impacts
Potential Impacts

_Socio-economic impacts_

- Slight increase in fishing effort in and harvest from state waters around Block Island
- Increased fishing opportunities, revenues = positive socio-economic impacts
- When fed waters measures are waived under CE = neutral impacts
Slot Limits

- **4A: No action**
- **4B: Update Council’s FMP to allow use of a maximum size limit**
  - Would allow for regular slots, split slots, and trophy fish

- *Council-only*
- *No change needed to ASMFC FMP*
Potential Impacts

- In theory, slot limits should have positive impacts on recruitment by protecting larger fish which contribute more to spawning than smaller fish.
- Previous analysis for summer flounder.
- No analysis for scup and black sea bass.
2009 MC Slot Analysis

- Slot limits would increase number of fish harvested
- Discards may decrease, but total removals would likely increase
- Increased removals in numbers of fish = increased fishing mortality rate
- Marginal benefits to SSB under some specific slot limits
- Trophy fish eliminated SSB benefits
Small reduction in total number of female summer flounder harvested
Increased harvest per angler (in #s of fish)
Generally lower harvest in weight and more discards in weight
Higher and more frequent ACL overages
Potential Impacts

- Negative impacts to summer flounder, especially under current stock status
  - Increased removals in numbers of fish
  - Increased fishing mortality rate
  - Any increases in SSB may be minor

- Negligible or slight negative impacts to scup?
  - Females and males have similar growth rates
  - Not a particularly long-lived species
  - Potential increased fishing mortality rate
  - Biomass above target
Potential Impacts

- Negligible or slight negative impacts to black sea bass?
  - Males tend to be larger than females
  - Stock is likely resilient to the removal of large males due to contribution of secondary males to spawning
  - Concerns about discard mortality for larger fish due to barotrauma
  - Potential increased fishing mortality rate
  - Biomass above target
Potential Impacts

*Mixed socio-economic impacts*

- **Positive**
  - Higher removals in numbers of fish (increased angler satisfaction)

- **Negative**
  - Low RHLs may require narrow slots
  - Required discarding of large fish (decreased angler satisfaction)

- Impacts could vary by mode and state
Abbreviated AP Comments

- From June 2018, presented at Aug joint mtg
- Multiple advisors support use of striped bass transit zone
- Concern about slot limits – discard mortality, potential non-compliance
ASMFC Law Enforcement Com.

- No specific concerns with a narrowly defined transit zone
- Enforceability is dependent on criteria for transit and gear stowage
- Standardizing transit zones as well as criteria across zones and state/fed regs is important
Draft Addendum XXXI and Council Framework

Public Comment Summary

Caitlin Starks, ASMFC
Joint Meeting of the MAFMC and ASMFC Summer Flounder, Scup and Black Sea Bass Board
December 11, 2018
• Public hearings held in 8 jurisdictions
  – 82 attendees, 33 commented

• 8 Written Comments
  – 5 organization letters
  – 3 from individual stakeholders
## Issue 1: Black Sea Bass Conservation Equivalency

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<tr>
<th>Comments</th>
<th>Option 1A Status Quo</th>
<th>Option 1B BSB CE</th>
<th>Option 1C CE rollover</th>
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Comments on CE for Black Sea Bass

• Allocations should be adjusted to more accurately reflect the distribution of the resource
• Interest in flexibility in crafting recreational black sea bass measures
• Federal rules should be the same as the state rules and tailored to the needs of individual states to promote compliance
• CE should be regional, not state specific
• CE should not be used in waves 1 and 6 when majority of fishery occurs in federal waters
### Issue 2: Summer Flounder CE Rollover

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### Issue 3: Block Island Sound Transit Provisions

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### Issue 3.2: Fisheries Allowed to Transit

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Comments on Block Island Sound Transit

• RI-RI corridor exclusive of some fishermen (from RI and other states)
• More restricted area may be better to reduce fishing and transit by vessels from other states
• The current rules that apply to non-federally permitted vessels create confusion and challenges for navigation
• Allowing transit could lead to illegal fishing in federal waters
• CE will make transit provisions unnecessary
Comments on Slot Limits

• **5 comments in favor** of adding slot limits to Council FMP

• **15 comments in opposition**

• Supporting comments: could remove fishing pressure from large breeder females, allow people to keep a few when larger fish unavailable

• Opposing comments: biological concerns (BSB), increased mortality (BSB) negative impacts to industry (SF), hard for sport divers to follow
General Comments

- Wave 1 fishery should also include January
- MRIP estimates should not be used to determine regulations for subsequent year
- Frustrating that black sea bass catch limits have not been increased adequately to accommodate for rebound in stock status
- Recreational discard mortality rates are lower than those used in assessment and developing measures
- Mandatory electronic reporting for private anglers should be required
Advisory Panel Comments

• AP conference call on December 6th
• 1 AP member attended
  – No comments on Addendum XXXI
• 1 AP member provided comments via email
  – Supports 1A (status quo) instead of 1B (black sea bass conservation equivalency)
  – Block Island Sound transit zone is not needed
Questions?
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<td>1B: BSB CE using SF process</td>
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1A or 1B

3A or 3B

If 3B, then 3B-1 or 3B-2

If 3B, then 3B-3 or 3B-4

Council only: 4A or 4B