



Summer Flounder, Scup, & Black Sea Bass Commercial/Recreational Allocation Amendment: Draft Range of Alternatives

Joint Council and Board Meeting
August 12, 2020



Amendment Purpose

Consider potential modifications to the allocations of catch or landings between the commercial and recreational sectors for summer flounder, scup and black sea bass.



Objectives

- Adopt range of alternatives for inclusion in public hearing document/draft amendment document
- FMAT will develop this document for approval at December joint meeting
 - Dec: final opportunity to tweak alternatives prior to public hearings; should identify desired approaches today

Action Timeline

May 2020	Council/Commission review scoping comments and identify potential categories of alternatives to consider
June 2020	Council/Commission further refine and provide guidance on draft alternatives
May-July 2020	Development of range of specific draft management alternatives
August 2020	Council/Commission approve a range of alternatives for inclusion in public hearing document
Dec 2020	Council/Commission approve public hearing document/Commission draft amendment document
Early 2021	Public hearings
Spring 2021	Advisory Panel meeting
Spring 2021	Council/Commission consider public comments; final action
January 2022	Expected effective date

FMAT Recommendations

- FMAT met July 15 to recommend refined range of alternatives based on June Council/Board guidance
 - Reduce redundancy; combine justifications resulting in same outcome
 - Remove some options very similar to/within the range of others
 - Options not recommended included in appendices in summary

Alternative Categories

1. Commercial/Recreational Allocation
 - No Action/status quo
 - Modified allocation percentages
 - Phase-in of allocation changes
 - No longer recommended by FMAT: trigger approaches
2. Recreational sector separation
3. Transfers between the commercial and recreational sectors
4. Changes via framework/addendum

1. Commercial/Recreational Allocation

- Modified allocation % options based on different data or time series
- Catch-based and landings-based options for all 3 species (see Appendix A for additional detail)
 - **Resulting percentages not directly comparable** due to different approach to dead discard split
- FMAT generally favors **catch-based allocations**, but supports leaving both in for public comment
 - Reduces complexity in setting sector-specific catch limits
 - Some assumptions about expected discards still required, but further separates catch accountability by sector and could incentivize sector-specific discard reduction efforts

1. Commercial/Recreational Allocation

Summer Flounder:

Catch based alternatives	Basis
1a-1: 44% comm., 56% rec.	2004-2018 base years
1a-2: 43% comm., 57% rec.	Multiple approaches: 2009-2018 base years, approximate status quo harvest per sector compared to 2017/2018
1a-3: 40% comm., 60% rec.	2014-2018 base years

Landings based alternatives	Basis
1a-4: 60% comm., 40% rec.	No action/status quo (1980-1989)
1a-5: 55% comm., 45% rec.	Same base years, new data (1981-1989; 1980 data unavailable)
1a-6: 45% comm., 55% rec.	Multiple approaches: 2009-2018 and 2004-2018 base years
1a-7: 41% comm., 59% rec.	(2014-2018 base years)

1. Commercial/Recreational Allocation

Scup:

Catch based alternatives	Basis
1b-1: 78% comm., 22% rec.	No action/status quo (1988-1992)
1b-2: 65% comm., 35% rec.	Same base years, new data (1988-1992)
1b-3: 61% comm., 39% rec.	Multiple approaches: 2009-2018 base years and average of other approaches approved by Council/Board in June 2020
1b-4: 59% comm., 41% rec.	Approximate status quo harvest per sector compared to 2018/2019
Landings based alternatives	Basis
1b-5: 57% comm., 43% rec.	Multiple approaches: Same base years, new data; 2014-2018 base years; 2009-2018 base years
1b-6: 56% comm., 44% rec	2004-2018 base years
1b-7: 50% comm., 50% rec.	Approximate status quo harvest per sector compared to 2018/2019

1. Commercial/Recreational Allocation

Black sea bass:

Catch based alternatives	Basis
1c-1: 32% comm., 68% rec.	Approximate status quo harvest per sector compared to 2018/2019
1c-2: 28% comm., 72% rec.	2004-2018 base years
1c-3: 24% comm., 76% rec.	2009-2018 base years

Landings based alternatives	Basis
1c-4: 49% comm., 51% rec.	No action/status quo (1983-1992)
1c-5: 45% comm., 55% rec.	Same base years, new data (1983-1992)
1c-6: 29% comm., 71% rec.	Approximate status quo harvest per sector compared to 2018/2019
1c-7: 22% comm., 78% rec.	2009-2018 and 2014-2018 base years

1. Commercial/Recreational Allocation

- FMAT agreed that the options define a reasonable range
- Alternatives should have clear basis
- After considering public comments, Council and Board could select something else within the range taken to hearings, with appropriate justification

1. Phased-in allocation changes

- Would apply to alternatives that revise allocation percentages

Alternative

Alt 1d-1: No phase-in (no action/status quo)

Alt 1d-2: Allocation % shift evenly spread over **2 years**

Alt 1d-3: Allocation % shift evenly spread over **3 years**

Alt 1d-4: Allocation % shift evenly spread over **5 years**

- Allocations could shift by 0.8%-13.5% per year under 2-5 year phase ins, depending on the allocation change selected

Trigger Approach

- Catch up to a specified ABC level would be allocated using the current allocations; additional allowable catch above that level would be divided differently between sectors.
- After discussion, **FMAT no longer recommends consideration of this approach**

Trigger Approach

- See Appendix C for discussion
- Trigger approaches applied in other contexts (summer flounder and BSB state allocations) may not be appropriate given impetus for this action
- Status quo allocations (below trigger) would not result in stability for rec. sector due to mismatch between revised data and current allocations
- Could also lead to larger changes in measures needed in years when ABC shifts above or below the trigger
- If retained, more time & guidance needed to develop configuration of this option

Advisory Panel Comments on Comm/Rec Allocation

- One advisor stated rec. allocation should not increase, since proportion of population fishing recreationally is small
 - Fisheries should produce food for nation, not select few who can afford private boats
- At least 5 advisors recommended that this action be put on hold/dropped due to:
 - Support of status quo allocations
 - Concerns with reliability of MRIP data
 - Differences in accountability for the commercial/recreational sectors & differing data quality
 - Ongoing covid impacts and uncertainty about future conditions

Advisory Panel Comments on Comm/Rec Allocation

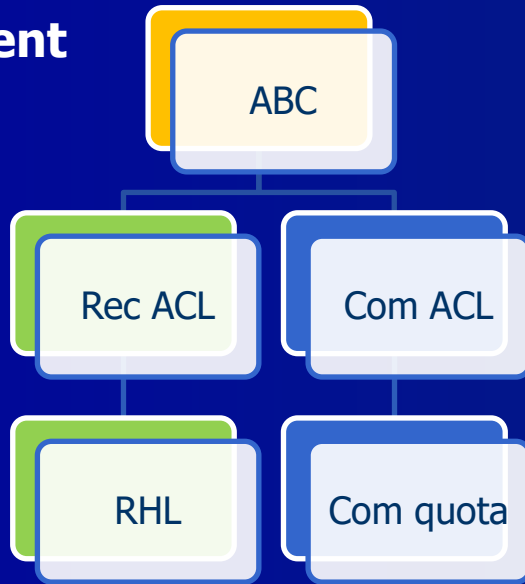
- One advisor expressed opposition to the basis of attempting to maintain status quo harvest by sector from 2018/2019
 - Does not support taking back the commercial quota increase that resulted from new assessments

Advisory Panel Comments on Comm/Rec Allocation

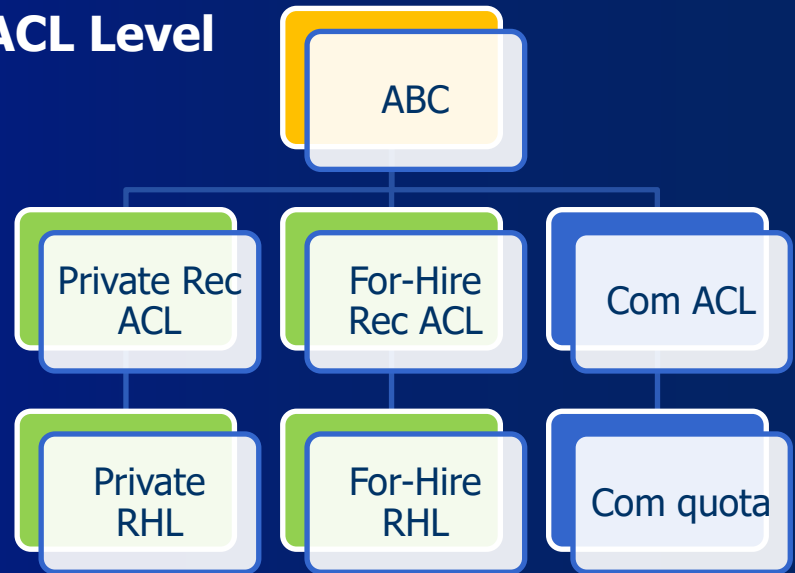
- One rec. advisor said existing allocations seem to be working, not sure substantial rec. increase is justifiable
- Another rec. advisor said it would be illogical and irresponsible not to apply new data to allocation percentages
 - Recreational sector provides huge economic benefit to coastal communities and recreational support industries

2. Recreational sector separation: structures discussed in June

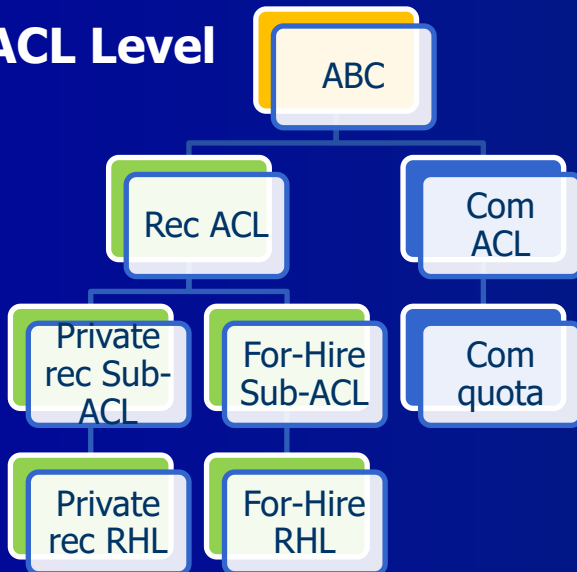
A: Current



B: ACL Level



C: Sub-ACL Level

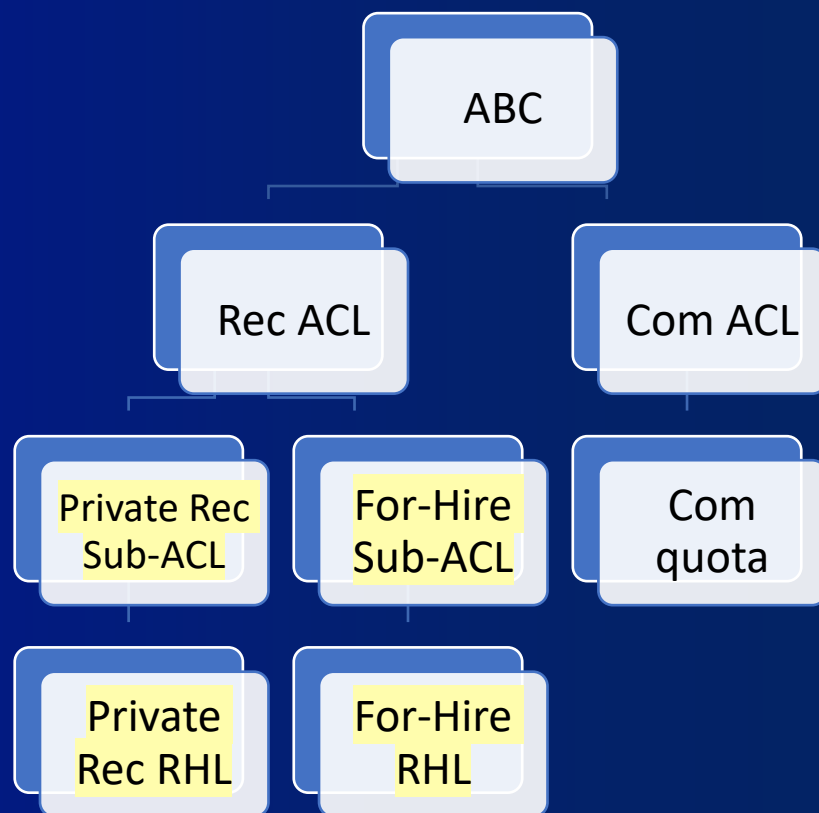


D: RHL Level



2. Recreational Sector Separation

- FMAT recommends creation of separate **sub-ACLs** for for-hire and private/shore recreational fisheries
- Separate management & accountability while maintaining distinction between commercial and rec. fisheries
- See Appendix D



2. Recreational Sector Separation

- Sub-allocation % options developed based on **MRIP dead catch in numbers of fish**
- VTR data not recommended as basis for for-hire allocation
 - Lack of coverage for most state-only permitted vessels
 - Will need to use MRIP for ACL evaluation for foreseeable future given lack of complete VTR data & lack of VTR validation
 - FMAT recommends using MRIP for allocation and catch accounting for now, but sector separation could provide incentive for improved for-hire data collection & validation for future use

2. Recreational Sector Separation

Catch-Based Allocation	Alternative & Basis	Private	For-hire
Summer flounder	2a-1: No sector separation	N/A	N/A
	2a-2: (2009-2018, 2004-2018)	96%	4%
	2a-3: (1981-2018)	94%	6%
Scup	2b-1: No sector separation	N/A	N/A
	2b-2: (1981-2018, 2014-2018)	91%	9%
	2b-3: (2004-2018)	90%	10%
Black sea bass	2c-1: No sector separation	N/A	N/A
	2c-2: (2009-2018)	90%	10%
	2c-3: (2004-2018)	87%	13%

2. Recreational Sector Separation

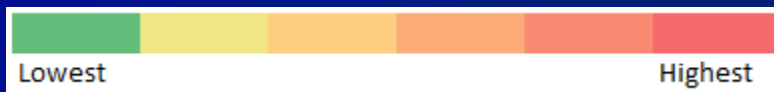
■ Data Uncertainty

- Uncertainty in MRIP data increases as it is broken down by wave, state, and mode
- Council/Board will need to consider whether benefits of sector separation outweigh drawback of increased uncertainty when using mode-specific data to set and evaluate catch limits and recreational measures

MRIP PSEs for total catch in numbers of fish, (ME-VA)

	Summer Flounder			Scup			Black Sea Bass		
	For-Hire	Private/ Shore	All modes	For-Hire	Private/ Shore	All modes	For-Hire	Private/ Shore	All modes
2004	13.8	5.9	5.7	28.4	15.4	14.4	19.7	16.3	14.2
2005	11.3	7.4	7.1	27.1	19.6	19.1	16.9	12.4	11.0
2006	16.8	8.0	7.7	18.1	16.1	15.4	15.3	11.1	9.8
2007	10.9	6.7	6.4	16.5	15.3	14.3	10.4	10.9	9.2
2008	10.1	6.5	6.3	16.8	11.6	10.5	9.5	15.7	14.4
2009	10.1	5.8	5.7	15.1	11.5	10.6	10.3	10.2	9.3
2010	12.6	6.8	6.7	24.8	10.4	9.8	12.0	23.2	21.8
2011	9.3	6.6	6.5	18.8	15.2	14.5	12.4	10.5	9.7
2012	9.9	11.3	11.1	16.4	12.3	11.3	10.1	9.7	9.1
2013	12.9	8.2	8.0	7.9	11.7	10.6	6.8	9.0	8.5
2014	18.2	8.6	8.2	17.8	10.5	9.7	13.5	8.4	7.6
2015	12.2	8.0	7.7	14.0	15.6	14.8	12.0	10.2	9.1
2016	8.5	8.0	7.8	10.6	10.5	10.0	7.1	8.5	7.9
2017	13.5	10.7	10.4	8.0	13.5	12.7	6.6	11.8	11.1
2018	8.7	6.6	6.4	9.2	8.6	8.1	9.6	6.3	5.7
2019	12.6	8.8	8.6	10.7	6.7	6.1	8.7	6.5	5.9
AVG	11.9	7.7	7.4	16.6	13.2	12.4	11.5	11.6	10.6

Legend



2. Recreational Sector Separation

■ Bluefish Discussion

- Council/Board removed rec. sector separation from the bluefish allocation amendment
- Further development should be considered through a more comprehensive action (e.g., the Recreational Reform Initiative for all 4 species)

Advisory Panel Comments on Rec. Sector Separation

- Email comment: sector separation would be serious mistake at this time
 - Not clear how it would be managed as for-hire sector expands

3. Transfers between sectors

Process

- 3a) No action (no transfers allowed)
- 3b-1) Allow bi-directional transfers through specifications with defined process and guidelines
- 3b-2) Allow bi-directional transfers through specifications as needed with limited pre-defined guidelines

Transfer Cap

- 3c-1) No transfer cap
- 3c-2) 5% of the ABC
- 3c-3) 10% of the ABC
- 3c-4) 15% of the ABC

3. Transfers between sectors

Process under alternative 3b-1:

- Need for a transfer assessed annually through specifications (August meeting)
- MC develops projections of next year's landings based on consideration of:
 - Catch in current year (limited data) & prior years
 - Recent or expected changes in management measures
 - Trends in fishery effort
 - Changes in abundance, biomass, and recruitment

3. Transfers between sectors

Process under alternative 3b-1:

- Projected comm. and rec. landings compared to initial proposed landings limits
- If one sector projected to under-harvest & other sector projected to exceed its limit, a portion of landings limit may be transferred
- NOAA Fisheries implements specifications in December
 - No post-implementation adjustment process

3. Transfers between sectors

Process under alternative 3b-2:

- Consideration of factors other than recent performance & projected underages/overages
- Transfers may be justified by any relevant factors regarding the needs of each sector (e.g., recent data and performance, effort dynamics, market factors, data changes, recruitment dynamics)

3. Transfers between sectors

Criteria prohibiting a transfer

- The FMAT recommends that no transfers be allowed when a stock is overfished or experiencing overfishing
- Considered adding “under rebuilding” to the criteria; did not reach consensus on this

3. Transfers between sectors

- FMAT comments & concerns:
 - Not clear transfers would be used/needed in these fisheries given typically high utilization by both sectors (difficult to predict due to revised MRIP and potentially revised allocations)
 - Projections & MC recs. complicated by data availability and timing of specifications, as well as frequent adjustments to rec. measures
 - Under a projected underage, likely more desire to liberalize measures vs. transfer

3. Transfers between sectors

■ FMAT comments & concerns:

- Recommends against adopting transfers with limited guidelines (3b-2) in combination with no transfer cap (3c-1)
 - Would create difficult policy position for MC, Council & Board; could create broader ranging annual allocation decision
- Transfers not recommended at this time if sector separation adopted; complicated to develop concurrently (see document discussion)

Advisory Panel Comments on Transfer Provisions

- 2 advisors expressed support for no transfer cap to maximize flexibility to address unforeseen circumstances
- One expressed opposition to comm./rec. transfers

4. Changes through frameworks/addenda

- 4a) No action; do not change framework provisions
- 4b) Allow com/rec allocations and other measures in this amendment (transfers, sector separation) to be changed through framework actions/addenda
 - Council/Board could still decide an amendment is warranted (lengthier, more public participation)
 - Tool in the toolbox

Decision Points

- Adopt range of alternatives for public hearing document/draft amendment document
- Provide guidance on hearing document development if desired