



Atlantic States Marine Fisheries Commission

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MEMORANDUM

December 1, 2020

To: Summer Flounder, Scup, and Black Sea Bass Management Board & Mid-Atlantic Fishery Management Council

From: ASMFC and MAFMC Summer Flounder, Scup, and Black Sea Bass Advisory Panels

RE: AP Review of Draft Addendum XXXIII Options and Public Comments

ASMFC AP Participants: Jack Conway, Greg DiDomenico, Jim Lovgren, Mark Hodges, Marc Hoffman, Michael Plaia, Buddy Seigel

MAFMC AP Participants: Katie Almeida, Joan Berko, James Fletcher, Michael Pirri, Michael Plaia, Bob Pride, Harvey Yenkinson

Other Attendees: Chris Batsavage (NCDMF), Alan Bianchi (NCDMF), Emily Keiley (NOAA), Mike Luisi (MDDNR), Corinne Truesdale (RIDEM), Hannah Welch, Angel Willey (MDDNR)

Staff: Caitlin Starks (ASMFC), Savannah Lewis (ASMFC), Julia Beaty (MAFMC)

The following memo contains input from members of the Commission and Council's Summer Flounder, Scup, and Black Sea Bass Advisory Panels (APs) on Draft Addendum XXXIII and the Council Amendment on black sea bass commercial state allocations. The input provided is the opinion of individual advisors and does not represent consensus recommendations.

An AP webinar meeting was held on November 19, 2020 to review the management options presented in Addendum XXXIII and the Council Amendment. Thirteen AP members attended; seven from the Commission and seven from the Council (one is a member of both APs). Staff presented the options presented in the documents for public comment, a summary of the public comments received, and a draft socioeconomic impact analysis. Input and recommendations from individual AP members are summarized below.

Draft Addendum XXXIII/Council Amendment Comments

Greg DiDomenico, representing Lunds Fisheries in New Jersey, supported status quo commercial state allocations (Option A under Section 3.1).

Michael Plaia commented that he holds a federal permit and license, but this year he did not fish at all because of COVID-19. He stated that given the pandemic there is no basis to change anything this year, as there has been no research on the status of the stock or a management track assessment. He thinks status quo should be maintained until we have better information. He also indicated support for management of the state allocations only under the Commission FMP (Option A under Section 3.2.1).

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Bob Pride commented that he has spoken with a limited number of commercial and recreational fishery participants in Virginia, and they all support status quo allocations.

Katie Almeida commented that the Town Dock in Rhode Island supports the DARA approach (Option C under Section 3.1) for state allocations. The sub-options they support are C1-A, C2-A, and C3-B. For regional configuration, the Town Dock supports option G2, which creates 3 regions. They also support status quo for Commission-only management of the state allocations (Option A, Section 3.2.1.).

Joan Berko commented that New Jersey pot fishermen support status quo for allocations, because black sea bass is their primary fishery and livelihood.

Jim Lovgren stated that the Fishermen's Coop at Point Pleasant supports status quo for all measures. He added that he supports the idea of the quota bank that was presented in the public comments. In addition, he believes that since the majority of the commercial black sea bass landings come from the EEZ, MAFMC should manage the allocations (Option B, Section 3.2.1.). He stated that he is concerned with ASMFC controlling the allocations because they can play political games to steal quota from states with strong historical allocations, such as what happened with New Jersey's allocation when it was originally established. He said that New Jersey lost \$16 million in income because of the quota that was given away to other states that wanted more quota.

Harvey Yenkinson agreed that the Council should be involved because the disparity in the regulatory processes between the two bodies is confusing, and we should be working toward uniformity in the fishery regulations.

James Fletcher commented that the United National Fisherman's Association is in support of status quo state allocations. He added that if other states want more fish, they should use enhancement programs to raise and release black sea bass in their own state waters, and that could justify an increase in their landings.

Mark Hodges, who is a trap fisherman in Virginia, also supported status quo for the state allocations. He added that the Council and Commission should get information about where quota that gets reallocated is going to go, because he could be more receptive to giving up a little bit if it was going to go to commercial fishermen, but he believes the majority is going to go to people who are essentially recreational participants who want to sell small amounts of landings. He stated that the northern states have small trip limits, which are not enough for a true commercial harvester to make a living. If reallocating quota is going to be an enhancement to the recreational fishery then it is just stealing from the southern states. He said that fishermen from New Jersey and further south are full-time fishermen, and that is why he is against transferring quota away from those states. Jim Lovgren also noted a concern with commercial hook and line fisheries in northern states taking away quota from "real" commercial fishermen.

General Comments

Harvey Yenkinson expressed concerns with the fishery being inefficient and producing waste. He said that as additional quota is available it should be allocated with the goal of reducing

discards, perhaps allocating to areas with increased abundance, or to more efficient gears like pots as opposed to trawls. He thinks the Council and Commission should consider gear and species distribution as factors to make fisheries more efficient, especially during times like now when there is more quota available.

Two advisors noted concerns about the federal trawl survey not being able to capture black sea bass habitat with rocky bottom, and therefore not providing adequate measures of stock abundance.

James Fletcher questioned the rationale of giving so much of the total allocation to the recreational industry when recreational anglers only make up 6% of the country's population. These comments referenced a separate ongoing action to consider revising the commercial/recreational allocations for summer flounder, scup, and black sea bass. Jim Lovgren responded that the recreational allocation was determined based on historical recreational landings compared to commercial landings. James Fletcher also suggested that managers should look at how Japan and Norway are managing their species, because our management system is creating an import market rather than producing fish.

Several advisors expressed that they find Individual Transferable Quotas (ITQs) to be problematic. One said that they cause the public to not get their fair share of the fish. Another advisor commented that ITQ vessels will land large amounts of fish at a time in Virginia and Maryland, and the fish houses will have a hard time selling them all. When this happens, it disrupts the market for weeks at a time. He thinks there should be a federal possession limit of 7,500 pounds because otherwise it is a waste of the resource; the consumer does not see it because the dealers still charge the consumer the same amount, but the harvesters are not getting as much money. He reiterated that smaller trip limits would help this situation, and it is an important issue that the Council should address.