



Mid-Atlantic Fishery Management Council
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MEMORANDUM

Date: 4/8/16
To: Council
From: J. Didden 
Subject: Blueline Tilefish FMAT Summary and Staff Recommendations

The Fishery Management Action Team (FMAT) for Blueline Tilefish met via teleconference on 4/6/2016 to consider recommendations for the Council's Blueline Tilefish Amendment. In attendance were FMAT members Jason Didden (MAFMC), Paul Nitschke (NMFS-NEFSC), Tim Cardiasmenos (NMFS-GARFO-NEPA), and Doug Potts (NMFS-GARFO-SF). T. Cardiasmenos had to leave the call early. Rick Robins was also connected for part of the call.

While the Council will select what (if any) allocation to make in this Amendment, for purposes of analysis/discussion about what limits might sufficiently constrain the recreational and commercial fisheries, the FMAT assumed a 25% commercial and 75% recreational division of the 87,031 pound Acceptable Biological Catch (ABC) recommended by the Council's Scientific and Statistical Committee (SSC). This would lead to a 65,273 pound recreational annual catch limit (ACL) and a 21,758 pound commercial ACL. Assuming that reporting can be obtained from all sectors, there is no information for the FMAT to recommend management uncertainty buffers at this time so the annual catch targets (ACTs) would equal the ACLs. If enforcement reveals ongoing reporting compliance issues or if the ACL is exceeded, then a management uncertainty buffer would likely be recommended in the future. Given the SSC utilized a 2% discard rate for the recreational sector and a 1% discard rate for the commercial sector (both from VTRs), it appears reasonable to the FMAT to apply these rates to the ACTs, which produces recreational total allowable landings (TAL) of 63,968 pounds and commercial TAL of 21,540 pounds.

Under the above assumptions, the FMAT noted that while the emergency regulations appear sufficient to restrain the commercial fishery to its possible TAL, the emergency regulations do not appear sufficient to restrain the recreational fishery to the TAL described above - compared to 2014/2015, catch would have to be approximately reduced by 50%. As described in the public hearing document, it is estimated that the current commercial regulation of 275 pounds gutted fish would have resulted in approximately 14,500 pounds of commercial landings (live weight) from Virginia north in 2015, had the emergency regulations been in effect for the entire year. Given this finding, it appears to the FMAT that the option for 300 pounds gutted fish (slightly more than the current regulations) would constrain the commercial fishery to a TAL of 21,540 pounds, though there is limited data for analysis. Moving up to 500 pounds is likely to lead to reaching the commercial TAL before the end of a fishing year, especially since there has been public comment that additional directed fishing will occur at a trip limit of 500 pounds. The FMAT recommends using even numbers to facilitate compliance/enforcement if possible. There was discussion whether trip limits could be increased near the end of the year if quota was

available, but the FMAT thought that this could be difficult to implement successfully initially, especially without additional data on fishery performance.

The FMAT noted that in 2015 when the emergency regulations went into effect (June 4, 2015), recreational catch apparently increased compared to 2014 (when there were no federal regulations). While partyboat catch did fall from 2014 to 2015, estimated charter boat catch 2014-2015 approximately doubled, which also doubled the assumed private catch. The FMAT noted that additional work on the charter boat time series may be warranted, given the low reporting and possible issues with assuming a constant multiplier though time based on the 2015 Delphi estimated catch and the 2015 Vessel Trip Reports (VTRs). To the degree that under-reporting increases looking back in time, then the charter time series will be under estimated further back in time. Staff noted that the numbers of charter vessels reporting some blueline tilefish catch in 2014 and 2015 did not appreciably change.

The FMAT also noted that to the degree that the Delphi process was in error, or to the extent that future catch reporting is in error, any tracking of future catch by universal mandatory reporting may generate unexpected results.

To begin considering how recreational catch may be limited to avoid ABC overages, staff reviewed VTR data from 2014-2015 trips according to average blueline tilefish caught per angler. For party-charter combined, a large portion of the catch was caught on trips that landed a high number of fish per angler (see Tables 1 and 2).

Table 1. 2014 Party/Charter Trips

Fish/Angler	Total Fish	Percent of total fish
1-2	881	6%
3-5	3196	20%
6-7	3244	20%
8-9	968	6%
10+	7609	48%

Table 2. 2015 Party/Charter Trips

Fish/Angler	Total Fish	Percent of total fish
1-2	601	4%
3-5	1230	9%
6-7	5211	39%
8-9	3616	27%
10+	2776	21%

Staff also reviewed 2014/2015 VTR party and charter data separately, which showed that charter boats had a lower average catch rate per person, with most (62%) of the reported catch coming from trips that caught 3-7 fish, while most (54%) of the party boat catch came from trips where catch rates averaged 8 or more fish per angler.

Table 3. 2014/15 Charter Trips

Fish/Angler	Total Fish	Percent of total fish
1-2	417	15%
3-5	756	27%
6-7	993	35%
8-9	379	13%
10+	285	10%

Table 4. 2014/15 Party Trips

Fish/Angler	Total Fish	Percent of total fish
1-2	1065	4%
3-5	3670	14%
6-7	7462	28%
8-9	4205	16%
10+	10100	38%

These data suggest to staff that compared to 2014 or 2015, even the emergency regulations will be slightly restrictive, and are more restrictive for the party boat segment of the fishery compared to the charter segment of the fishery. Additional restrictions could impact both catches per trip/person and effort so the impacts on catch are difficult to predict. Public/Advisory Panel comments suggest that restrictions below 7 fish would substantially impact party boat effort by discouraging participation (deep drop tilefish trips cost \$220-\$575 per person on party boats). Public comment has also indicated that high-grading/ discarding may become an issue with per person trip limits below 7 fish.

Staff also reviewed party/charter 2014-2015 catch by month – see table 5. While some effort transfer may occur from a month that might be closed to months that remain open, there should be some catch reductions from any closed season. Several members of the AP provided input that a closure Jan-April with a 7-fish limit (per person) would be reasonable. However staff noted that Jan-April only accounted for 6% of VTR reported landings and a larger reduction in catch is likely necessary to adhere to the ABC. Additional comments from some AP members also suggested that a closure and/or per person trip limit reduction in Nov/Dec could be manageable given that many Jan-April trips are canceled due to weather anyway and that black sea bass are available in Nov/Dec.

Table 5. Party-Charter 2014-2015 VTR Catch by Month.

Month	% Catch
Feb	1.7%
Mar	0.6%
Apr	4.0%
May	13.7%
Jun	18.4%
Jul	16.6%
Aug	19.1%
Sep	7.2%
Oct	6.3%
Nov	4.0%
Dec	8.3%

To generate discussion on the AP call, staff solicited input on a system of per person trip limits that vary by season, per table 6. The lower limits for charter versus party were based on the findings that charter boats had lower catch rates per angler to start with (see above), and the lower limit for private anglers was based on a presumption that private anglers also have lower catch rates and that there is more economic dependence on this fishery for party and charter operations (and especially for the 3-4 party boats that specialize in deep-drop fishing). The private catch is also least understood given the lack of MRIP data for blueline tilefish, and until more is understood about the private catch, relatively low limits would help minimize the risk of high private catches shutting down the fishery much more quickly than expected.

Table 6. Initial recreational limits for discussion.

	July 1 - Feb 28	March 1-June 30
Private	3	
Charter (6 or less)	3	5
Party	5	7

Under any scenario of increased restrictions, there is no way to predict how the fishery would proceed other than that catch would be more restricted. In season closures could avoid overages and paybacks but could also discourage reporting. The FMAT was skeptical that reporting compliance could be achieved or that differential per person trip limits by season and segment of the fishery could be effectively communicated. Staff noted that there are reporting options in the document that would provide for compliance checks on reporting. A universal per person trip limit would be simpler to communicate and enforce, but may place more of a burden from the reduction on the party boat segment of the fishery.

The FMAT also had concerns that closing the fishery for Jan-April would have a minimal impact on catch, and even adding in a Nov/Dec closure only covers 19% of catch. A July-October open season would span approximately half of the catch over 2014-2015, and could be an option that had a chance of holding catch to approximately 50% of 2014-2015 without requiring in-season monitoring, especially if combined with a per-person trip-limit restriction. The Council could also combine a seasonal closure with per-person trip limit restrictions, as described in the examples below (Table 7). For all of these options, since the limited data does not allow for quantitative estimates of the resulting catch, the only way to effectively limit catch would be to combine any limits with in-season monitoring/closing and real-time reporting. The more restrictive the measures are, the less likely that in-season closures will be triggered (if selected by the Council). By converting high 2015 per-person catches to 7 or 5 fish person, catch reductions of 13% and 29% would be achieved respectively, assuming the same number of trips. However, if a 5 fish per person limit reduces effort/trips overall, then a greater than 29% reduction would be achieved. Therefore combining a 5 fish per person limit with a closed season from Nov1-Apr30 should have a relatively low risk of substantial in-season closures, and more liberal seasons/per person trip limits would have a relatively higher risk of in-season closures. Given the limited data it is not possible to quantify the differences.

Table 7 – Alternative Season/Bag Limits

	Jan 1-April 30	March 1-Dec 31
Private	Closed	3
Charter (6 or less)	Closed	5
Party	Closed	7

Closure = 6% of catch 2014/2015

	Nov 1-April 30	May 1-October 31
Private	Closed	3
Charter (6 or less)	Closed	5
Party	Closed	7

Closure = 19% of catch 2014/2015

	Nov 1-April 30	May 1-October 31
Private	Closed	5-7
Charter (6 or less)	Closed	
Party	Closed	

Closure = 19% of catch 2014/2015

Finally, during the call Rick Robins noted that if the fishing year began on Jan 1 instead of Nov 1, then Jan 1-Apr 30 could be closed regularly as part of the season, and if in-season closures are used, Nov-Dec would be closed or not depending on how landings progressed during the year. The FMAT noted that there are administrative savings to aligning the golden tilefish and blue line tilefish fisheries from a fishing year perspective, but that it may be possible to have the

two fisheries in the same regulatory action targeted for the golden tilefish fishing season of November 1, but have the blueline tilefish season start January 1.

The FMAT also reviewed the other alternative groups in the document, as described below:

2. Management Unit: The FMAT supports using the VA/NC line (2a), and this is the recommendation of staff.
3. Status Determination Criteria: FMAT/staff supports automatically incorporating the best available science).
4. Commercial Permitting and Reporting: The FMAT sees no strong need to create a separate blueline permit at this time – if limited access is pursued later then landings of blueline tilefish could be examined regardless of whether there is a separate blueline tilefish permit or it is combined with golden tilefish. For other items, standard commercial reporting appears reasonable and electronic (e)VTRs would not appear critical since near real-time reporting occurs through dealer reports. However, eVTRs could facilitate more rapid assignment of catch by area.
5. For-Hire Permitting and Reporting: The same rationale regarding commercial permitting applies to party/charter permitting (no strong advantage apparent for separate permits). However, given the potential need for in-season monitoring, eVTRs are recommended by the FMAT and staff, and to facilitate enforcement/compliance they should have the same real-time requirements for reporting before fish leave the boat (or boat leaves the water if trailered), as described for private reporting.
6. The FMAT discussed a staff recommendation that the HMS system be used to require private anglers to obtain a separate tilefish permit to catch golden or blueline tilefish. This is a hybrid of 6a and 6b. Staff agrees with public comments that a separate private tilefish permit be required rather than just an HMS permit, because this would provide better information on the universe of anglers interested in tilefish fishing. Since many offshore anglers are familiar with the HMS online permit interface, having that site be where tilefish permits are obtained should be relatively convenient. This would likely require that private anglers pay a permit fee to support the system, which is currently \$20.00 for HMS permits. Staff also recommends that reporting of golden/blueline tilefish be required through an ACCSP phone/tablet application before fish are brought off a vessel/water because surveys are unlikely to ever provide precise catch estimates for tilefish, and the only way to check compliance is to require reports to be completed and submitted before fish leave a boat. The FMAT does have concern about how to obtain high compliance and notes that a substantial outreach effort will be necessary. There was no specific FMAT recommendation for these alternatives but NMFS staff may have additional input at the Council meeting.
- 7/8. The FMAT supports using one Monitoring Committee for tilefish, and notes that the Council may also want to specify that one Advisory Panel would be used. The FMAT also supports incorporating the ability to framework actions when appropriate. Staff concurs.
9. The alternatives in group #9 are all necessary to set specifications through the standard Council risk-policy/SSC process.
10. 10a-10c. These alternatives deal with allocations. While the FMAT has no specific allocation alternative recommendations, the FMAT does note that while the catch time series were generated in a reasonable manner given the available data, there is considerable

uncertainty with the recreational time series. 10d or 10e would need to be selected according to whether or not an allocation is made in order to set specifications.

11/12. Trip/Bag limits are discussed above.

13. EFH – no additional comments.

14. The FMAT discussed the proposed accountability measures (AMs) and had no specific recommendations but notes that AMs are required. Issues with in-season closure authority are discussed above, but generally in-season closure authority may be necessary to avoid major impacts to future years from year-end overages.