



Mid-Atlantic Fishery Management Council

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Richard B. Robins, Jr., Chairman | Lee G. Anderson, Vice Chairman
Christopher M. Moore, Ph.D., Executive Director

MEMORANDUM

Date: June 13, 2016
To: Council
From: Jason Didden *JDD*
Subject: Blueline Tilefish Listening Session Summary

On June 9, 2016 Council staff conducted a webinar-based listening session regarding blueline tilefish recreational specifications. Participants included:

Jason Didden (MAFMC Staff)
Rick Robins (MAFMC Chairman)
Keith Neal
Mel Deak
Rob O'Reilly
Skip Feller
Tom Baum

Jeff Gutman
John Bello (VSSA)
Doug Potts (NMFS)
Fred Akers
Adam Nowalsky
EC Newellman

After an introduction by Council Chairman Rick Robins, Jason Didden provided a summary of Council actions to date. Comments and questions from the attendees are summarized below.

John Bello: Reiterated comments submitted in writing by Virginia Saltwater Sportfishing Association (VSSA). 1) Not in favor of any sector separation – a recreational angler is a recreational angler regardless of the type of boat they are on. Different limits will create unfair advantages for some boats and frustration by anglers. 2) Support 7 blueline tilefish per person for all recreational anglers and believe that the catch estimates are high based on the long distance that anglers have to travel to access the resource. Also, mandatory reporting should allow real-time management/closure as a quota is being approached. 3) Do not support closed seasons as there is little else to fish for off Virginia in the winter and it will be a hardship especially for charter operations. If closed seasons are needed, align with black sea bass to avoid dead tilefish discards.

Skip Feller: I don't want to go from 7 to 5 but going over the quota will be worse. Going to 5 fish is not really doable but I need access to the fish in November and December. Leaving the private limit at 3 fish is doable because few private vessels go out to direct on tilefish - most who do tilefish do it as part

of a trip focused on other species. Some head boats do target tilefish and we're doing it for a living taking out recreational fishermen. We need some separation. If we go to 5 fish I would leave the private boat limit at 3 fish to give us a cushion because even as it is, it's setting us up to fail. Everybody has to make some sacrifice and we're already making up a huge sacrifice.

It might not be a bad idea to align with black sea bass – at 5 fish I won't be able to do dedicated tilefish trips – I'll have to also do sea bass. Closing additionally along with black sea bass might be something to look at also.

Fred Akers: I have 11 questions and a draft of comments but I wanted to listen to this before I submitted my comments and questions. My son and I are recreational fishermen and we invested \$150,000 in a boat and equipment and we want to direct on blueline tilefish and we have been, and we really enjoy that. We believe that blueline tilefish are a public trust resource that belongs to all of the people of the U.S. and we should have an equal right to the resource like anyone else. I don't want to see sector separation – I don't think that is fair and equitable. There are economic impacts that affect the local economies in the Mid-Atlantic region through the money we spend (boat, gas, slip rental, etc.). It's not my livelihood but I shouldn't be denied to pursue my interests for a public trust resource.

Was there any consideration by the Council that the 3 fish limit for private recreational boat owners could motivate an effort transfer moving those recreational fishermen out of their private boats and into the for hire boats to be able to catch more fish rather than reducing overall catch to meet the new ABC reduction? This sounds more like a marketing plan for the for-hire fishery rather than a fishery management plan to protect the fish. [Staff responded that some effort transfer was considered but this possibility would be communicated to the Council]

Is it correct that in the Blueline Tilefish FMAT Summary and Staff Recommendations dated 4/8/16 that 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, and that 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? [Staff responded that this was consistent with the FMAT's (Fishery Management Action Team) concerns.]

Where is the primary location of enforcement for the recreational blueline tile fishery? [Staff responded that the Coast Guard would be most likely to be in the areas of tilefishing but their presence is spread thin. At the dock or in state waters, state enforcement are most likely to be the primary enforcement entities.]

Regarding reporting, I try to fish for tuna and sharks, and I have 24 hours to report Bluefin tuna to NMFS under my Highly Migratory Species (HMS) permit. I'm supportive of having a separate permit where anyone who is fishing for tilefish has a permit and a similar reporting requirement, and since there's already a mechanism to report through HMS, you could use a similar system and I'm supportive of identifying the fleet and we'd know just how many people there are fishing for blueline tilefish – right now the private recreational fishermen are framed as the boogeyman like there's a million of us out

there and could all start blue-line tilefishing at any time and take the fish away from everyone else – I'd like to see that permit process put in place as soon as possible.

Are there any private recreational anglers on the tilefish advisory panel? There should be an independent/private recreational vessel owner who is a tilefish fisherman on the advisory panel.

What are the South Atlantic rules for blue-line tilefish [Staff responded that there is a proposed rule to increase the recreational bag limit from one per vessel to three fish per person per day for the months of May through August.]

Jeff Gutman: I too bought a boat with the intention of paying it off through tilefishing including for blue-line tilefish, and a 5-fish limit will not allow me to do that in a way I'd originally planned. Everybody needs to make sacrifices and we are making sacrifices in season already, and a lot of people who can't afford to buy their own boats go on headboats. Regarding the public trust concept, you should look at golden tilefish fishery, which is almost entirely a commercial fishery. How would shifting to a uniform 5-fish limit allow additional fishing in November-December? [Staff responded that the substantial reduction that would appear to be gained by going to 5-fish from 7-fish for the inspected vessels appeared to be in the general range of the November-December catch reduction, especially if fewer trips occur by inspected vessels due to the lower trip limit. Staff acknowledged it is an approximation, and it is very hard to predict the relative change in private catches that could occur with a 5-fish private limit, and this could increase the likelihood of a quota overage]

It appears that you are using the catch data we gave you against us and giving our catch to another group when we don't even know how many private fishermen there are. I can barely live with a 7-fish limit and I cannot live with a 5-fish limit unless I have a multi-day limit like is used in the Gulf of Mexico. Right now you require me to catch half of what recreational boats in Virginia can catch for the same time on the water, and my recreational angler customers are being deprived of two bag limits due to different proximity to the fishing grounds, and I would like the Council to consider a multi-day limit (12d) if you intend to go to a 5-fish trip limit.

There are other ways that head-boats can be accommodated. For example, you could go to a days at sea or number of trips per dedicated head boat, or choose months or waves to work in based on their location and/or business needs. I don't need fish in Nov-Dec and I don't begrudge those who do, but I don't want to be disadvantaged either. Maybe look at keeping it at 7 fish and you could close Sept-Oct and reopen Nov-Dec or align with seabass closures to still allow 7-fish. Regarding going to 5 fish across the board, just because a couple of people did not like the result of a meeting that unfortunately they didn't attend shouldn't be held against me and my customers who are recreational fishermen and they already went from an unlimited fishery to 7-fish.

I'm against having any permits that are all-inclusive with HMS permits due to the uncertainty that may be introduced into catch estimates.

I don't agree that discarding is going to happen related to black sea fishing. That can happen if people target them in particular depths where both fish reside, but there are other depths you can target them when black sea bass is currently open. At other times of year when water is colder and black sea bass push farther offshore it might become a problem. Can you run a calculation for what the savings would be if the blueline tilefish season mimicked black sea bass – would that be enough to keep the trip limit at 7 fish? I'm trying to think of a creative way to not go down in the bag limit and allow those who need this the most (for hire) to pay their bills in addition to giving people access to the fish and preserve at least the current bag limit. That might resolve conflict between for-hire groups and private anglers might be content at 5-fish.

Mel Deak: I'm a recreational fishermen from New Jersey. I've been doing 12-16 party boat tilefishing trips a year for the last 10 years now. I understand the issues with folks who are closer to the fishery, but I can't drive that far – I'll be leaving out of New Jersey and we make a 100-mile plus trip over two days, and we've gone from unlimited blueline tilefish to 7 and now you're asking for 5. I'm looking at the statistics you have and I don't see how you can rationalize this – you have not done the science yet. I'm being thwarted and all I want to do is go fishing. I'd love to see the guys who are in this for a living continue to do that and everything I see going on is counter to that – does NOAA want people to fish or not? [Staff responded that if the Council engages in management it must adhere to the SSC's Acceptable Biological Catch, and the Council is highly engaged in trying to get better science, but the Council has to act based on the best available scientific information. If the Council did not act, then the South Atlantic Fishery Management Council (SAFMC) would likely take over management.]

I don't understand how individuals can ignore the spirit of the law in such a manner. The SSC report – there is not much science in that – it's statistics and models and you have no data. People have been doing this for years and why don't you stay at status quo for a few years until you get your data. You shouldn't act based on that the SAFMC might do. Radical changes to regulations show you don't know what's going on. Get your science first before you do anything drastic. Going to 5-fish will put the business I use out of business and me off my interest – nobody will be sailing for me to go out on. I spend \$700-\$900 per trip – I'm one of 26 people doing this once a week – we're not talking about chump change. I think there are several hundred people like me that are regular recreational tilefish guys. We spend a lot of money - why are you stopping us from spending money and supporting the American economy? How much damage can we possibly do compared to a long-liner that puts out tens of thousands of hooks for days? We're out there for a matter of hours with two dozen hooks. I don't understand your rationale – it seems to me that these bureaucracies are just bureaucracies – acting with little science and just statistics. These estimates are killing us and if you put us out of business you'll be out of business too.