



## Summer Flounder, Scup, Black Sea Bass, and Bluefish Recreational Measures Setting Process Framework/Addenda

### Draft Action Plan

8/29/2023

<https://www.mafmc.org/actions/hcr-framework-addenda>

**Framework/Addenda Goal:** This management action is being developed by the Mid-Atlantic Fishery Management Council (Council) and the Atlantic States Marine Fisheries Commission (Commission). This is a follow-on action to the [Recreational Harvest Control Rule Framework/Addenda](#), which implemented the Percent Change Approach for setting recreational management measures. In adopting the Percent Change Approach, the Council and the Commission’s Interstate Fishery Management Program Policy Board (Policy Board) agreed it should sunset by the end of 2025 with the goal of considering an improved measures setting process, as developed through this management action, starting with 2026 measures.

**Alternatives to be Considered:** During their June 2022 and August 2023 meetings, the Council and Policy Board agreed to further develop the topics summarized below through this management action. They may also identify other alternatives to address the objectives of the action at future meetings.

- **Percent Change Approach** – This approach was implemented starting with the 2023 recreational management measures for summer flounder, scup, and black sea bass. It will also be used for bluefish once that stock is no longer under a rebuilding plan. Under the Percent Change Approach, a determination is made to either liberalize, restrict, or leave measures unchanged based on two factors: 1) Comparison of a confidence interval around an estimate of expected harvest under status quo measures to the average recreational harvest limit (RHL) for the upcoming two years and 2) Biomass compared to the target level, as defined by the most recent stock assessment. These two factors are used to define a target harvest level for setting management measures. The target is defined as a percentage difference from expected harvest under status quo measures. The Percent Change Approach is described in detail in the [reference guide](#) and [final framework document](#) for the previous action. The Council and Policy Board agreed that further development of this approach should, at a minimum, include greater consideration of fishing mortality. This could include development of approaches to assign fishing mortality rates and targets to the recreational fishery.
- **Biological Reference Point Approach and Biological Based Matrix Approach** - These alternatives use a combination of indicators to place the stock in one of multiple potential management measure “bins.” The indicators vary by alternative and include expected harvest under status quo measures, biomass compared to the target level, fishing mortality, recruitment, and/or trends in biomass. Bins associated with poor indicators would have more restrictive management measures and bins with positive indicators would have more liberal measures. Measures would be assigned to all bins the first time the approach is used through the specifications process. These alternatives are described in more detail in the [reference guide](#) and [final framework document](#) for the previous action. The Council and Policy Board agreed that further development of these alternatives should at a minimum include development of example measures using modeling (e.g., the Summer Flounder Management Strategy Evaluation model) or other approaches.

- **Triggers for changing measures** – The Council and Policy Board agreed to consider modified versions of the Biological Reference Point Approach and the Biomass Based Matrix approach where the indicator thresholds defining the boundaries between the bins would be triggers for changing measures, without having measures pre-assigned to the bins.
- **Target metric for setting measures** – The previous framework/addenda considered if recreational measures in state and federal waters should collectively aim to achieve a target level of harvest (e.g., based on the RHL), recreational dead catch (e.g., based on the recreational annual catch limit), or fishing mortality. These alternatives will be further developed through this action.
- **Starting point for measures** – Many recreational stakeholders have expressed frustration that the current measures do not appear to be aligned with stock status. The Council and Policy Board agreed that further consideration should be given to the starting point for measures under all alternatives.
- **Management uncertainty** – The Council and Policy Board agreed that further consideration should be given to the implications of the alternatives for management uncertainty buffers, as currently defined in the Fishery Management Plan.
- **Use of the Summer Flounder Management Strategy Evaluation (MSE) model** – The Council and Policy Board supported the use of the Summer Flounder MSE model to analyze aspects of this management action. For example, it may be used to evaluate the performance of potential indicator thresholds which define the boundaries between management measure bins, the management response to crossing those thresholds, and measures assigned to each management response. Given time constraints, simplifying assumptions will need to be made and example measures are not expected to be generated for every bin under all alternatives.
- **Issue of “borrowing”** – The Council and Policy Board agreed to further consider the issue of “borrowing” as raised by the SSC. During their review of the Harvest Control Rule Framework/Addenda, the SSC noted, “If constraining one sector is more challenging, and leads to larger deviations from the specified catch targets, the patterns of allocation may be substantially different to those specified in the policy. This can lead to effective ‘borrowing’ of quota from the more controlled sector, and thus to increased levels of contention in the fishery management process.”<sup>1</sup>
- **Other alternatives** – This action may consider other alternatives, as appropriate. For example, this could include potential revisions to the accountability measures, considerations related to conservation equivalency, and other topics.

### **Fishery Management Action Team (FMAT) / Plan Development Team (PDT)**

An FMAT/PDT has been formed to assist with development and analysis of potential alternatives. FMAT/PDT members are listed in the table below. Other Council, Commission, and NOAA Fisheries staff, as well as other experts, will be consulted as needed.

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<sup>1</sup> The report of the SSC review of the Harvest Control Rule Framework/Addenda available at <https://www.mafmc.org/ssc-meetings/2022/may10-11>.

<b>FMAT/PDT Member Name</b>	<b>Agency</b>	<b>Role/Expertise</b>
Tracey Bauer	Atlantic States Marine Fisheries Commission	FMAT/PDT Co-Chair
Julia Beaty	Mid-Atlantic Fishery Management Council	FMAT/PDT Co-Chair
Chelsea Tuohy	Atlantic States Marine Fisheries Commission	FMAT/PDT Co-Chair
Mike Celestino	New Jersey Department of Environmental Protection	Technical analysis and state management
Alexa Galvan	Virginia Marine Resources Commission	Technical analysis and state management
Emily Keiley	NMFS Greater Atlantic Regional Fisheries Office	Fisheries policy and legal requirements
Marianne Randall	NMFS Greater Atlantic Regional Fisheries Office	National Environmental Policy Act requirements
Scott Steinback	NOAA Fisheries Northeast Fisheries Science Center	Recreational fisheries economist
Rachel Sysak	New York Department of Environmental Conservation	Technical analysis and state management
Corinne Truesdale	Rhode Island Department of Fish and Wildlife	Technical analysis and state management
Sam Truesdell	Massachusetts Department of Marine Fisheries	Technical analysis and state management
Sara Turner	NMFS Greater Atlantic Regional Fisheries Office	Scientific and technical analysis of federal fisheries management

### **Commissioner/Council Member Work Group**

The Council and Policy Board established a small group of Commissioners and Council members to act as a liaison between the PDT/FMAT and the Policy Board. The purpose of the Work Group is to guide the FMAT/PDT on the intent of the Council and Policy Board, not to develop new options/alternatives. This group will periodically meet with the PDT/FMAT. Work Group members are listed below.

<b>Work Group Member Name</b>	<b>Council Member or Commissioner</b>
Skip Feller	Council member
Jason McNamee	Commissioner
Nichola Meserve	Commissioner
Adam Nowalsky	Both
Paul Risi	Council member

**Draft Timeline** – *Subject to change*

<b>May 2023</b>	<ul style="list-style-type: none"> <li>• Fishery Management Action Team (FMAT)/Plan Development Team (PDT) formed.</li> </ul>
<b>Summer 2023</b>	<ul style="list-style-type: none"> <li>• FMAT/PDT meetings.</li> <li>• Council and Policy Board meeting to review progress and discuss next steps.</li> </ul>
<b>Fall 2023</b>	<ul style="list-style-type: none"> <li>• FMAT/PDT and Council/Commissioner work group meetings to continue development of alternatives.</li> <li>• AP meeting to review progress and provide input (potentially combined with AP meeting for 2024 recreational measures).</li> </ul>
<b>December 2023</b>	<ul style="list-style-type: none"> <li>• Council and Policy Board meeting to review progress and discuss next steps</li> </ul>
<b>Early 2024 - Summer 2024</b>	<ul style="list-style-type: none"> <li>• FMAT/PDT and Council/Commissioner work group meetings to continue development of alternatives and develop draft document for public hearings.</li> </ul>
<b>August 2024</b>	<ul style="list-style-type: none"> <li>• Council and Policy Board meeting to approve final range of alternatives and approve draft document for public hearings through Commission process</li> </ul>
<b>Fall 2024</b>	<ul style="list-style-type: none"> <li>• Public hearings</li> </ul>
<b>Late 2024/Early 2025</b>	<ul style="list-style-type: none"> <li>• FMAT/PDT and AP meetings to provide input to Council and Policy Board prior to final action.</li> </ul>
<b>April 2025</b>	<ul style="list-style-type: none"> <li>• Council and Policy Board meeting for final action.</li> </ul>
<b>Spring-December 2025</b>	<ul style="list-style-type: none"> <li>• Development, review, and revisions of framework/addenda documents.</li> <li>• Federal rulemaking.</li> <li>• MC/TC use new process to set 2026 recreational measures.</li> </ul>
<b>Late 2025 or early 2026</b>	<ul style="list-style-type: none"> <li>• Effective date of implemented changes.</li> </ul>