



Mid-Atlantic Fishery Management Council

800 North State Street, Suite 201, Dover, DE 19901

Phone: 302-674-2331 | FAX: 302-674-5399 | www.mafmc.org

Michael P. Luisi, Chairman | P. Weston Townsend, Vice Chairman

Christopher M. Moore, Ph.D., Executive Director

MEMORANDUM

Date: May 25, 2021
To: Council
From: Jason Didden, Staff
Subject: *Illex* Specifications and Control Date

The Council needs to set 2022 *Illex* specifications and can request that NMFS make an in-season adjustment to the 2021 *Illex* specifications.

The following is included for Council consideration on this subject:

- 1) Monitoring Committee Summary – See Longfin Squid/Butterfish Tab
- 2) Report of the May 2021 SSC Meeting – See Committee Reports Tab
- 3) Staff Recommendations Memo – See Longfin Squid/Butterfish Tab
- 4) Squid and Butterfish Advisory Panel Fishery Performance Report – See Longfin Squid/Butterfish Tab
- 5) *Illex* Squid Fishery Information Document (April 2021)
- 6) Correspondence

The SSC set an increased ABC of 33,000 MT for 2022 and 2021. Related specifications are discussed in the Monitoring Committee Summary in the preceding Longfin Squid/Butterfish Tab. A potential change to the post-closure *Illex* incidental trip limit is also discussed in the Monitoring Committee Summary, but no change was recommended.

Council staff also recommends the Council consider requesting that NMFS publish notice of an additional control date for the *Illex* squid fishery. There is some uncertainty regarding the final outcomes of the ongoing *Illex* Research Track Assessment and the *Illex* Permit Amendment. An additional control date could proactively increase the flexibility of the Council for considering capacity-related management measures once the outcomes of the assessment and amendment are finalized and alert fishery participants that additional measures to address capacity might be considered pending the outcomes of the two aforementioned issues.



***Illex* Fishery Information Document**

April 2021

This Fishery Information Document provides a brief overview of the biology, stock condition, management system, and fishery performance for *Illex* squid with an emphasis on 2020. Data sources for Fishery Information Documents include unpublished National Marine Fisheries Service (NMFS) survey, dealer, vessel trip report (VTR), permit, and Marine Recreational Information Program (MRIP) databases and should be considered preliminary. For more resources, including previous Fishery Information Documents, please visit <http://www.mafmc.org/msb>.

Key Facts

- 2020 was the fourth banner year in a row for *Illex*, with the quota being harvested on a similar timeline as 2019. 2017-2020 represent a unique sequence in the history of the fishery of four consecutive “boom” *Illex* years.
- Prices, and therefore revenues, were down from 2019, and prices are down 26% from 2016.
- Substantial variability is to be expected with any squid species.

Basic Biology

Illex squid is a semi-pelagic/semi-demersal schooling cephalopod species distributed between Newfoundland and the Florida Straits, and lives less than one year. *Illex* is a semelparous, terminal spawner whereby spawning and death occur within several days of mating. The northern stock component, located north of the USA-Canada border in NAFO Subareas 3 and 4, is assessed annually and is managed by the Northwest Atlantic Fisheries Organization (NAFO), though landings have been low in recent years and staff has questioned the usefulness of the current NAFO assessment, which is not based on recent data (https://www.mafmc.org/s/g_NAFO_Didden.pdf). The southern/U.S. stock component is located in NAFO Subareas 5 and 6 between the Gulf of Maine and Cape Hatteras, NC and is managed by the Mid-Atlantic Fishery Management Council (the Council or MAFMC). Additional life history information is detailed in the EFH document for the species, located at: <http://www.nefsc.noaa.gov/nefsc/habitat/efh/>.

Status of the Stock

The status of *Illex* is unknown with respect to being overfished or not, and unknown with respect to experiencing overfishing or not. Results from the NEFSC Trawl surveys are highly variable

and without apparent long-term trend. The Council established a working group (<http://www.mafmc.org/actions/illex-working-group>) to investigate if current information could suggest that adjustments to the *Illex* quota are appropriate, and adjustments upward were made in 2020 based on the SSC's review of the workgroup products (<https://www.mafmc.org/ssc-meetings/2020/may-12-13>), finding that catches up to 30,000 MT¹ should not cause overfishing. An *Illex* research track assessment is underway in 2021 and is extending topics investigated by the Council's work group.

Management System and Fishery Performance

Management

The Council established management of *Illex* in 1978 and the management unit includes all federal East Coast waters.

Access is limited with moratorium permits. Trip limits are triggered when the quota is approached. Incidental permits are limited to 10,000 pounds per trip. Additional summary regulatory information is available at <https://www.fisheries.noaa.gov/new-england-mid-atlantic/resources-fishing/resources-fishing-greater-atlantic-region>. A 2020 action to change *Illex* permitting is in the rulemaking process and a proposed rule is expected later in 2021 – see <https://www.mafmc.org/newsfeed/2020/council-approves-changes-to-management-of-illex-fishery>.

The current quota is 28,644 MT, based on a 30,000 MT Acceptable Biological Catch (ABC) and a 4.52% discard rate (the mean plus one standard deviation of the most recent 10 years of observed discard rates in the last assessment). Recent SBRM discard rates have been similar.

Recreational catch of *Illex* is believed to be negligible. There are no recreational regulations except for party/charter vessel permits and reporting.

Commercial Fishery

Figure 1, from a recent Science Center data update, describes *Illex* catch 1963-2019 and highlights the early foreign fishery and then domestication of the fishery. Figures 2-3 describe domestic landings, ex-vessel revenues, and prices (inflation adjusted) since 1996. Figure 4 illustrates preliminary 2019 (yellow-orange) and 2020 (blue) landings through the year.

Table 1 describes 2020 *Illex* landings by state, and Table 2 describes 2020 *Illex* landings by gear type. Table 3 provides preliminary information on *Illex* landings by statistical area for 2020.

The Gross Domestic Product Implicit Price Deflator was used to report revenues/prices as “2020 dollars.”

¹ 1 metric ton = approximately 2,204.62 pounds

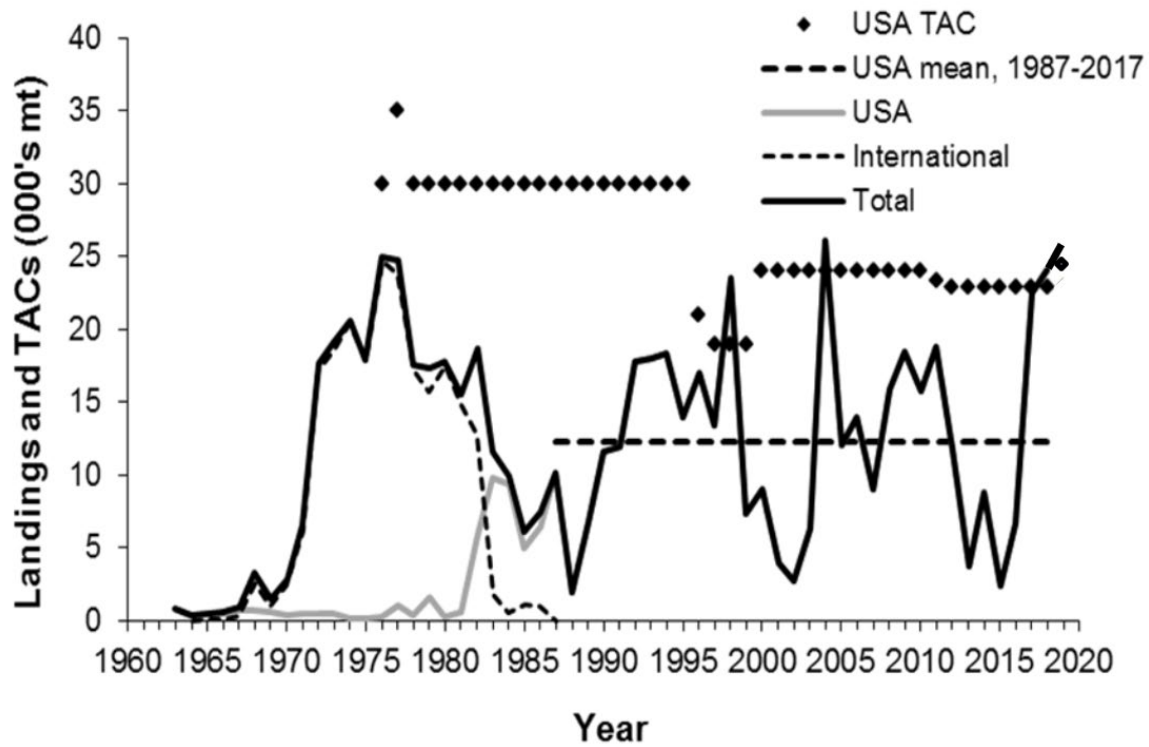


Figure 1. Total annual *Illlex* landings (mt) by the U.S. and other countries for 1963-2019. Sources: NEFSC *Illlex* Data update, available at <http://www.mafmc.org/ssc-meetings/2018/may-8-9> and NMFS unpublished dealer data.

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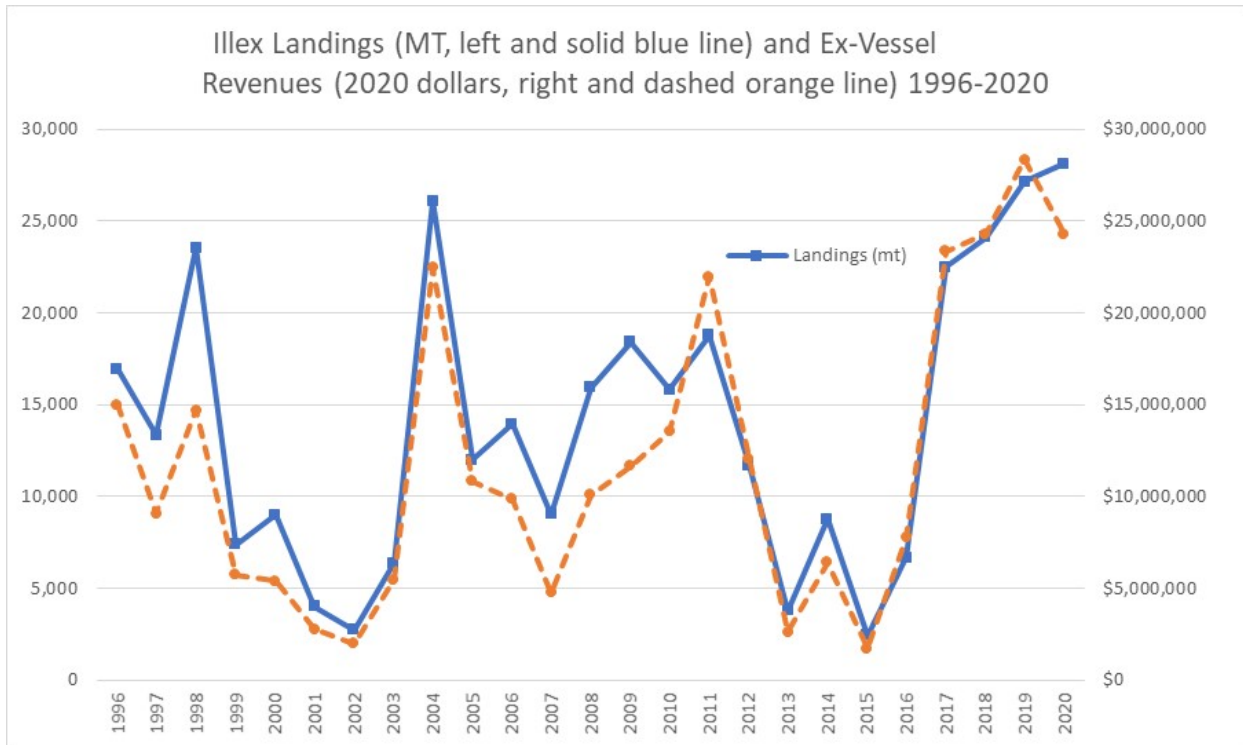


Figure 2. U.S. *Illex* Landings and *Illex* Ex-Vessel Values 1996-2020. Source: NMFS unpublished dealer data.

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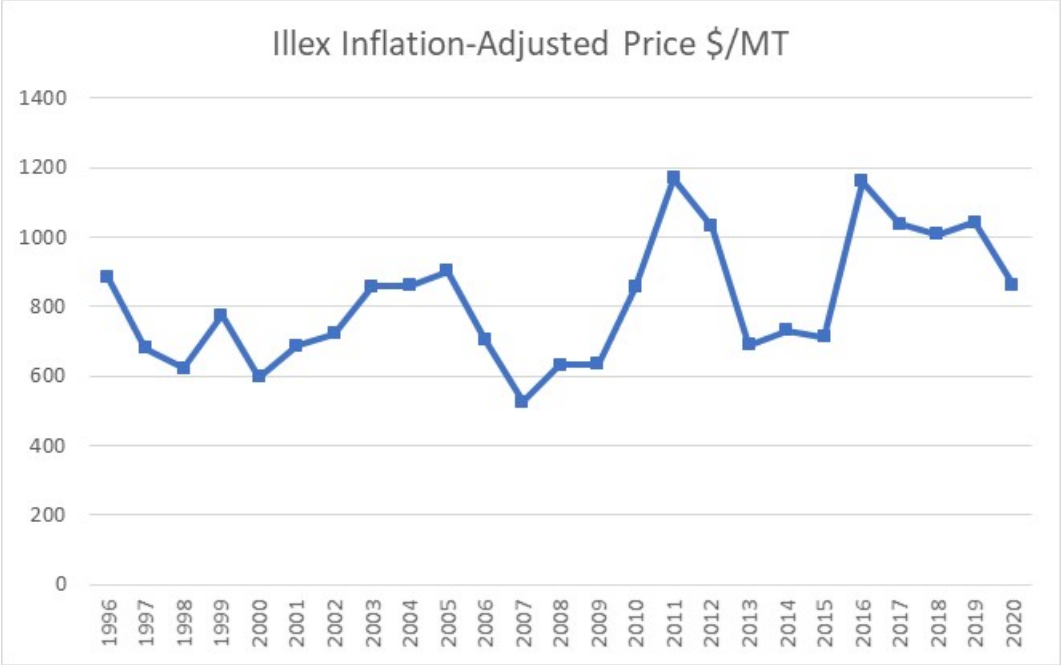


Figure 3. Ex-Vessel *Illex* Prices 1996-2020 Adjusted to 2020 Dollars Source: NMFS unpublished dealer data.

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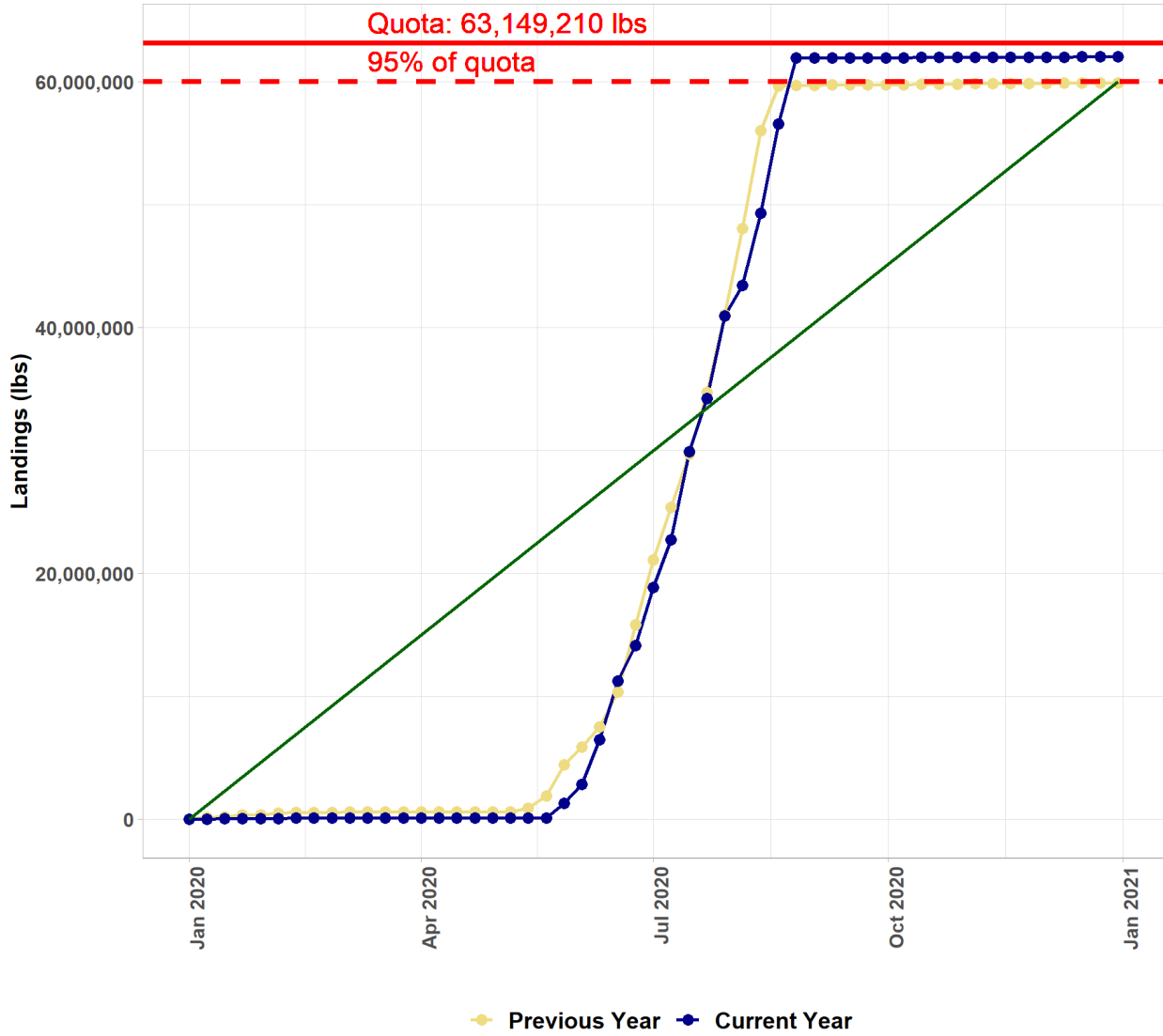


Figure 4. U.S. Preliminary *Illex* landings; 2020 in blue, 2019 in yellow-orange. Source: <https://www.fisheries.noaa.gov/new-england-mid-atlantic/commercial-fishing/quota-monitoring-greater-atlantic-region>.

Table 1. Commercial *Illex* landings (live weight) by state in 2020. Source: NMFS unpublished dealer data.

Most *Illex* landings occurred in NJ, RI, and MA, but further breakdown may violate data confidentiality rules (in spirit if not to the letter).

Table 2. Commercial *Illex* landings (live weight) by gear in 2020. Source: NMFS unpublished dealer data.

GEAR	Metric_Tons
TRAWL, OTTER, BOTTOM, FISH	27,459
UNKNOWN	584
POTS + TRAPS, OTHER	53
PURSE SEINE, OTHER	39
Other	0
Total	28,135

Table 3. Commercial *Illex* landings by statistical area in 2020. Source: NMFS unpublished VTR data.

Stat Area	Metric_Tons
622	11,751
526	10,064
626	2,163
537	907
616	455
623	331
627	321
525	238
Other	229
Total	26,458

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David E. Frulla

Kelley Drye & Warren LLP
Washington Harbour, Suite 400
3050 K Street, NW
Washington, DC 20007

Tel: (202) 342-8648
Fax: (202) 342-8451
dfrulla@kelleydrye.com

May 19, 2021

Mr. Michael Luisi
Chairman
Mid-Atlantic Fishery Management Council
800 North State Street, Suite 201
Dover, DE 19901

Re: Fishing Vessel Enterprises and The Town Dock's Comments Regarding MAFMC June 9 *Illex* Squid Control Date Agenda Item

Dear Chairman Luisi:

We submit the following letter on behalf of our clients, Fishing Vessel Enterprises, Inc. and The Town Dock, regarding *Illex* squid agenda items for the upcoming Mid-Atlantic Fishery Management Council meeting on June 9, 2021. In particular, the Council agenda includes an item to “[c]onsider an additional *Illex* control date.” It is not appropriate to set a new control date in the *Illex* fishery in this way or at this time.

As an initial matter, the control date item has somehow materialized on the Council agenda without any preceding Council, Advisory Panel, or Mackerel Squid Butterfish Committee action. Rather, the control date is emerging under the general heading of “2021-2022 Specifications.” A control date does not relate to the 2021-2022 specifications.

Further, a control date should not get set in a management vacuum. A control date is a significant management action generally tied to a capacity-related measure before a council. For example, the control date notice for the Northeast Multispecies Charter/Party Fishery explained the control date was being established because the council is “considering a future action that may affect or limit the number of participants in the fishery.” 83 Fed. Reg. 11952 (Mar. 19, 2018). In fact, the control date for the Northeast Multispecies Charter Party Fishery was administratively classified in the Federal Register as an “Advance Notice of Proposed Rulemaking.” See also 84 Fed. Reg. 43785 (Aug. 22, 2019) (Advance Notice of Proposed Rulemaking for the American lobster fishery announcing the “control date is intended to promote awareness of possible rulemaking”). It is irregular, at best, to advance for Council consideration a control date with no context—that is, with no capacity action under consideration at any level of the Council process, nor even a threshold discussion of the need for such a management action.

The Council had the opportunity to establish a control date in the appropriate context of its recently-concluded *Illex* Squid Capacity Amendment. It chose to rely instead on a 2013 control date for that 2020 action. Staff recently forwarded that action to the National Marine Fisheries Service for

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implementation review. The Council should conclude one capacity-related proceeding, and gauge its impacts, before starting on additional capacity reduction.

Finally, a new control date is unneeded for the *///ex* fishery at this time and will, moreover, generate unnecessary confusion among fishery participants. It is unclear, at best, whom the Council would be warning it is planning to exclude from the *///ex* fishery with a new control date. The Capacity Amendment would already eliminate vessels with no requisite landings history before January 1, 2019, and severely curtail the participation of vessels without the requisite history before the 2013 control date.

Accordingly, the Council should resist subterranean efforts to double down on *///ex* squid capacity reduction. Thank you for the opportunity to submit this letter and for your consideration of these critical issues. Please do not hesitate to contact us if you require any additional information.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'D. Frulla', with a long horizontal flourish extending to the right.

David E. Frulla
Andrew E. Minkiewicz
Counsel for Fishing Vessel Enterprises, Inc. and The Town Dock