



Mid-Atlantic Fishery Management Council
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MEMORANDUM

Date: September 26, 2019, with minor revisions October 2, 2019
To: Council and Board
From: Kiley Dancy, Karson Coutre, and Julia Beaty, Staff
Subject: Summer Flounder, Scup, and Black Sea Bass Commercial/Recreational Sector Allocations

Overview

The Mid-Atlantic Fishery Management Council (Council) and the Atlantic States Marine Fisheries Commission's (Commission's) Summer Flounder, Scup, and Black Sea Bass Management Board (Board) will discuss commercial and recreational sector allocation issues for summer flounder, scup, and black sea bass on Wednesday, October 9, 2019. Recent revisions to the time series of recreational data provided by the Marine Recreational Information Program (MRIP) resulted in much higher estimates of recreational catch compared to previous estimates, affecting the entire time series of MRIP data going back to 1981. This has management implications due to the fixed allocation percentages defined in the Fishery Management Plan (FMP) for all three species. These percentages were derived based on catch and landings data from the 1980s and early 1990s, as described in more detail below. These allocation percentages do not reflect the revised understanding of the recent and historic proportions of catch and landings from the commercial and recreational sectors based on new MRIP data. Because these allocation percentages are defined in the FMP, they cannot be modified without an FMP amendment. During their October 2019 joint meeting, the Council and Board will discuss whether an amendment should be initiated to consider modifications to these allocations.

Current Sector Allocations and Basis

Summer Flounder

Amendment 2 (1993)¹ specified that total allowable summer flounder landings should be allocated **60% to the commercial fishery and 40% to the recreational fishery**, based on landings data from **1980-1989** (Table 1).

Because the FMP specifies a landings-based allocation and not a total catch allocation, expected discards are typically apportioned by sector for each fishing year based on the Monitoring Committee's recommendations. Typically, the Monitoring Committee uses a three-year moving average of the percent of discards attributable to each sector and applies that to the total expected discards from the projections for the relevant fishing year.

¹ Available at http://www.mafmc.org/s/SFSCBSB_Amend_2.pdf.

Table 1: Comparison of current data and Amendment 2 data for commercial and recreational summer flounder landings in millions of pounds and percentages for 1980-1989. These years were used to calculate the sector allocations implemented in Amendment 2.

Year	Current Data (2018 Benchmark Assessment)				Amendment 2 (1993)			
	Com. landings	Rec. landings ^a	% Com.	% Rec.	Com. landings ^b	Rec. landings ^b	% Com.	% Rec.
1980	31.22	N/A	N/A	N/A	31.22	25.84	55%	45%
1981	21.06	15.85	57%	43%	21.06	11.30	66%	35%
1982	22.93	23.72	49%	51%	22.93	18.90	55%	45%
1983	29.55	36.74	45%	55%	29.55	35.65	45%	55%
1984	37.77	28.23	57%	43%	37.77	28.88	57%	43%
1985	32.35	25.14	56%	44%	32.35	17.09	65%	35%
1986	26.87	26.47	50%	50%	26.87	17.57	60%	40%
1987	27.05	23.45	54%	46%	27.05	13.13	67%	33%
1988	32.38	20.79	61%	39%	32.38	18.422	64%	36%
1989	17.91	5.66	76%	24%	17.91	3.19	85%	15%
Avg	27.54^c	22.89^c	55%^d	45%^d	27.91	19.00	59%^d	41%^d

^a Recreational harvest data in the 2018 assessment is provided back to 1982. The value for 1981 is from a query of MRIP data, which only goes back to 1981.

^b The source of commercial landings used in Amendment 2 was "NMFS General Canvas Data," while the source of recreational data used in Amendment 2 was "unpublished NMFS Marine Recreational Fisheries Statistics Survey (MRFSS) Data." MRFSS was a precursor to MRIP.

^c Average for recent data includes only 1981-1989, given that 1980 data is not available for revised MRIP data.

^d These averages are derived by calculating the percent split of the total landings over the time period (1981-1989 for new data or 1980-1989 for the Am. 2 data). In Amendment 2, this table lists the averages percentages by sector as 62% commercial and 38% recreational, which is calculated by taking the average of the annual sector percent values. The Amendment 2 document states that "the commercial share averaged about 60% of the combined total landings of summer flounder from 1980-1989," and references a "distribution (60/40) of landings between the commercial and recreational fisheries." Given that this amendment was developed in the early 1990s, there is less explicit information provided in the amendment documents on the exact methods and rationale for the 60/40 split.

Scup

Amendment 8 (1996)² specified that the annual Total Allowable Catch (TAC) for scup would be allocated to the commercial and recreational fisheries based on the proportions of commercial and recreational catch (landings and dead discards) for the years **1988-1992** (Table 2). Based on this data, **22% of the TAC is allocated to the recreational fishery and 78% is allocated to the commercial fishery.**

In determining how to allocate the TAC to the commercial and recreational fisheries, the Council and Commission examined several alternatives that allocated either catch or landings. They determined that allocating the TAC to the two sectors and then removing the discards to determine the commercial quota and recreational harvest limit was fair and equitable to both the commercial and recreational fisheries. When allocations are based on catch, the commercial sector would receive the full effect of a change in the rate of discards, i.e., commercial quota would increase

² Available at http://www.mafmc.org/s/SFSCBSB_Amend_8.pdf.

proportionally to the level of discard reduction. Each fishery would be treated fairly with respect to their contribution to discards and the effect of those discards on their shares of TAC. This is different than the sector allocations for summer flounder and black sea bass, which are landings-based.

Table 2: Comparison of commercial and recreational scup catch in metric tons and percentages for 1988-1992 based on the 2019 operational assessment and the analysis conducted for Amendment 8. These years were used to calculate the sector allocations implemented in Amendment 8.

Year	2019 Operational Assessment					Amendment 8 ^a				
	Com. Catch	Rec. Catch	Total Catch	% Com. Catch	% Rec. Catch	Com. Catch	Rec. Catch	Total Catch	% Com. Catch	% Rec. Catch
1988	19.08	7.12	26.20	73%	27%	16.29	4.69	20.98	78%	22%
1989	11.60	10.66	22.26	52%	48%	12.98	5.79	18.77	69%	31%
1990	15.51	7.30	22.82	68%	32%	18.07	4.30	22.36	81%	19%
1991	23.08	13.08	36.16	64%	36%	22.93	8.29	31.22	73%	27%
1992	17.95	9.59	27.55	65%	35%	25.86	4.58	30.43	85%	15%
Avg	17.44	9.55	27.00	65%	35%	19.23	5.53	24.75	78%	22%

^a Data sources used in Amendment 8 include National Marine Fisheries Service (NMFS) commercial fish dealer weighout, MRFSS, and Northeast Fisheries Science Center data.

Black Sea Bass

Amendment 9 (1996)³ specified that the annual total allowable landings (TAL) would be **allocated 49% to the commercial fishery and 51% to the recreational fishery** based on the proportions of commercial and recreational landings (landings and dead discards) for the years **1983-1992** (Table 3).

Like summer flounder, this is a landings-based allocation, and expected discards in each sector are typically defined based on the recommendations of the Monitoring Committee.

³ Available at: http://www.mafmc.org/s/SFSCBSB_Amend_9.pdf.

Table 3: Comparison of commercial and recreational black sea bass landings, in millions of pounds, and percentages for 1983-1992 based on current data (i.e., preliminary ACCSP commercial data and revised MRIP data) and the analysis conducted for Amendment 9. These years were used to calculate the sector allocations implemented in Amendment 9.

Year	Current Data ^a				Amendment 9 ^b			
	Com. landings	Rec. landings	% Com.	% Rec.	Com. landings	Rec. landings	% Com.	% Rec.
1983	3.34	4.86	41%	59%	3.34	4.08	45%	55%
1984	4.33	1.91	69%	31%	4.33	1.45	75%	25%
1985	3.42	3.66	48%	52%	3.42	2.10	62%	38%
1986	4.19	11.02	28%	72%	4.19	12.39	25%	75%
1987	4.17	1.83	70%	31%	4.17	1.92	68%	32%
1988	4.14	3.58	54%	46%	4.14	2.87	59%	41%
1989	2.92	5.3	36%	64%	2.92	3.29	47%	53%
1990	3.5	3.91	47%	53%	3.50	2.76	56%	44%
1991	2.81	4.84	37%	63%	2.81	4.19	40%	60%
1992	3.01	3.77	44%	56%	3.01	2.71	53%	47%
Avg	3.58	4.47	45%	55%	3.58	3.78	49%	51%

^a Current commercial data is based on ACCSP data which should be considered preliminary as they have not been validated by all states. Current recreational data is based on MRIP data accessed in August 2019. Unlike Tables 1 and 2, the data shown here are not derived from the most recent stock assessment (i.e., the 2019 operational assessment) because the black sea bass stock assessment does not incorporate data prior to 1989.

^b The data sources identified in Amendment 9 include MRFSS and NMFS general canvass data.

Need for Reconsideration

In July 2018, MRIP released revisions to their time series of recreational catch and landings estimates based on adjustments for a revised angler intercept methodology and a new effort estimation methodology (i.e., a transition from a telephone-based effort survey to a mail-based effort survey). The revised estimates of catch and landings for most years are several times higher than the previous estimates for shore and private boat modes.

Revisions were made to the entire time series, although the differences between the previous and revised estimates are greater in the later parts of the time series, especially after about 2000 (Figure 1).

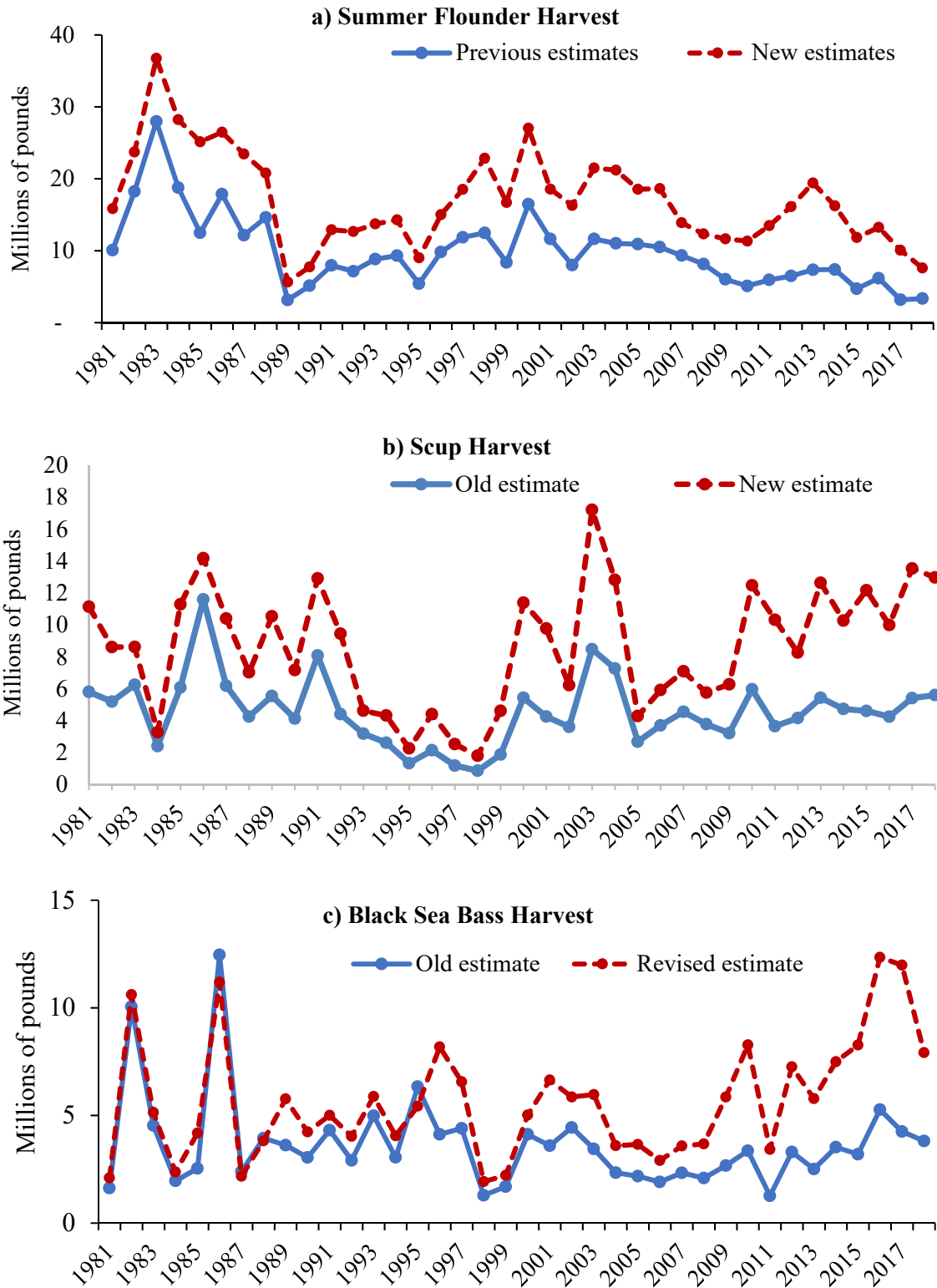


Figure 1: Previous vs. revised MRIP estimates of recreational harvest in millions of pounds for a) summer flounder, b) scup, and c) black sea bass, 1981-2018.

These revised MRIP estimates have recently been incorporated into stock assessments for all three species. They were first used in management of the summer flounder fishery for 2019 and will be used to set catch and landings limits and recreational management measures for black sea bass and scup for 2020. While the recreational harvest estimates have substantially increased, recreational harvest limits have not increased to the same degree (for summer flounder) or are not expected to increase to the same degree (for black sea bass and scup), potentially resulting in difficulty constraining the recreational fishery to the annual harvest limits without large adjustments to recreational management measures.

For summer flounder and black sea bass, commercial landings data over the allocation base periods have not changed since the implementation of the original sector allocations. For scup, while landings data may not have changed, the methods used to estimate dead discards have changed, resulting in notably different estimates of catch over the base period (Table 2). Given a catch-based allocation for scup, it would be important to consider changes in both landings and discards for each sector.

While Tables 1-3 above provide updated data for the original base years for each species, a reconsideration of sector allocations should evaluate a broad range of allocation methods and data sources and would not necessarily need to rely on the previous base years.

Commercial vessel and dealer reporting requirements, observer coverage of commercial fisheries, recreational for-hire reporting requirements, and the use of voluntary recreational data have also increased since the mid-1990s when the sector allocations for all three species were implemented. The Council and Board could consider whether there are alternative methods of allocating by sector that could incorporate more modern data sources.

The Council and Board could also review the current methods of allocating discards by sector and consider whether catch- or landings-based allocations are more appropriate for current management of these fisheries. As described above, scup is currently managed with a catch-based sector allocation, while for summer flounder and black sea bass, a landings-based allocation is specified in the FMP, and the Monitoring Committee uses different methods to allocate expected discards.

The Council previously funded a study consisting of an economic model to evaluate the 60/40 summer flounder sector allocation. The model, developed by Dr. Kurt Schnier (University of California, Merced) and Dr. Rob Hicks (College of William & Mary), aims to determine which allocations would maximize marginal economic benefits to the commercial and recreational sectors. The model was peer reviewed in November 2016 and presented to the Council and Board in December 2016. Because the study used MRIP data prior to the 2018 revisions, the developers are currently updating the model to reflect revised MRIP estimates. Updated model results are expected to be presented in December 2019. The Council and Board could consider expanding this work or funding similar studies to evaluate the sector allocations for scup and black sea bass.

Given these circumstances, the Council and Board should consider whether the current allocations are meeting the objectives of the FMP and the needs of the fisheries and if an amendment is needed to consider changes to these allocations.

Potential Action

Revisions to the sector allocations require an amendment to the FMP. Given the management implications of the modified MRIP data and updated assessments incorporating this information, staff and the Monitoring Committee recommend initiating a joint amendment to re-evaluate the sector allocations for all three species in this FMP.

A timeline for such an action is difficult to predict at this stage as it would depend on the complexity of the alternatives developed and the analyses required, as well as other Council and Commission priorities. If an amendment were initiated, staff recommend prioritizing this action for faster than typical development given the management implications of the revised MRIP data. A timeline for typical major amendments (given Council/federal requirements) can be found at <http://www.mafmc.org/s/FMP-Work.pdf>. While some of these steps could possibly be accelerated, it is likely that an amendment to reconsider sector allocations for all three species would take at least two years to implement.