



Black Sea Bass Commercial State Allocation Amendment/Addendum



Council & Board Meeting
June 16, 2020

Objective

- Review scoping comments
- Discuss range of alternatives
 - Plan to approve final range of alternatives and Draft Addendum for public comment in August
 - Establishing preliminary range of alternatives today will help us meet goal for August

Discussion questions

- Is the current range of management approaches and sub-options appropriate?
- Should anything be added, removed, or modified?



Amendment goal

- Consider adjusting the current commercial black sea bass allocations using current distribution and abundance as one of several adjustment factors to achieve more balanced access to the resource. These adjustment factors will be identified as the development process moves forward.
- Consider whether the state allocations should continue to be managed only under the Commission's FMP or whether they should be managed under both the Commission and Council FMPs.

What are the current state allocations and how were they developed?

- Implemented through joint Amendment 13 (final action 2002, implemented 2003).
- At the time, both groups preferred state allocations in both FMPs, but there were concerns about monitoring at federal level.
- Based loosely on landings data from 1980-2001.

State	Allocation
ME	0.5 %
NH	0.5 %
MA	13.0 %
RI	11.0 %
CT	1.0 %
NY	7.0 %
NJ	20.0 %
DE	5.0 %
MD	11.0 %
VA	20.0 %
NC	11.0 %

Potential management approaches

- A. No action
- B. Increase CT allocation
- C. Dynamic adjustments to regional allocations (DARA)
- D. Trigger approach
- E. Trigger with CT + NY increased before other states
- F. Percentage of quota distributed based on historical allocations
- G. Regional configurations
- H. Hybrid approaches
- I. Inclusion in Council's FMP

Potential management approaches

B) Increase CT allocation to 5%

- Increased biomass in CT state waters has made it increasingly difficult to constrain landings to their 1% allocation.
- Leave NY & DE unchanged.
- Move ½ of ME & NH to CT.
- Move allocation from remaining states proportional to current allocations.

State	Current allocation
ME	0.5 %
NH	0.5 %
MA	13.0 %
RI	11.0 %
CT	1.0 %
NY	7.0 %
NJ	20.0 %
DE	5.0 %
MD	11.0 %
VA	20.0 %
NC	11.0 %

Potential management approaches

C) Dynamic adjustments to regional allocations (DARA)

- Formulaic approach.
- Gradual transition to allocations that are all or partially based on regional distribution of the stock.
- Two phases: transition and post-transition.
- After transition is complete, the component of the allocations which is based on distribution would be updated on a regular basis.
- Many potential sub-options to control scale and pace of change in allocations.

Potential management approaches

C) DARA sub-options

- Relative importance of historical allocations vs. stock distribution at the end of the transition period
 - 90% distribution, 10% historical allocation
 - 50% distribution, 50% historical allocation
- Change in relative importance per adjustment during transition period
 - 5% - 20%
- Frequency of adjustments
 - Every year
 - Every other year (expected frequency of stock assessment updates)
- Maximum change to regional allocations per adjustment
 - No cap
 - Cap of 3% - 10%

Potential management approaches

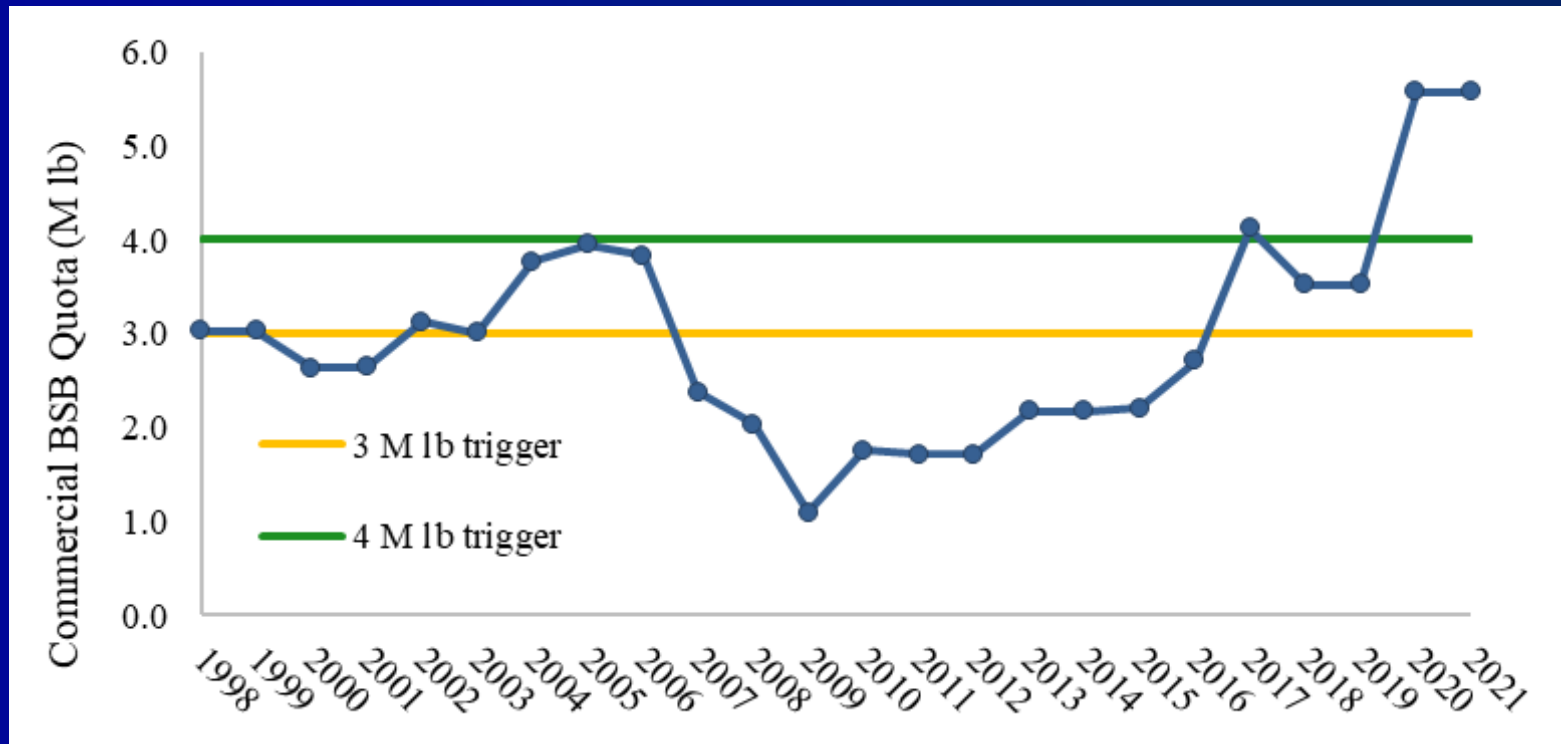
D) Trigger approach

- Quota up to and including pre-defined trigger amount distributed according to base allocations.
 - Potential trigger options: 3 – 4 mil lb
- Surplus quota above trigger distributed differently.
 - Evenly among states, or
 - Based on regional biomass from stock assessment
 - Within a region:
 - Divided equally, or
 - In proportion to base allocations
 - Under all options, ME & NH each receive 1% of N region surplus

Potential management approaches

D) Trigger approach

- Potential trigger options: 3 – 4 mil lb



Potential management approaches

D) Trigger approach, continued

- Static or dynamic base allocations
 - **Static** = always the amendment 13 allocations or as modified by option B to increase CT to 5%
 - **Dynamic** = previous year's final allocations
 - If multiple years above trigger, has the potential to more rapidly change the allocations than under static base allocations.
 - Should this option be retained in the action?

Potential management approaches

E) Trigger approach with CT and NY adjusted first

- 3 mil lb trigger.
- Quota \leq trigger distributed based on Amendment 13 allocations.
- Surplus quota
 - First used to increase CT to 5%
 - Then increase NY to 9%
 - If any remaining, split among regions based on stock distribution, then divide among states within a region in proportion to Amendment 13 allocations.

Potential management approaches

F) Percentage of quota distributed based on historical allocations

- A % of quota would be allocated based on the initial allocations.
 - Potential options: 25% - 75%
- Remaining % of quota distributed differently.
 - Evenly among states, or
 - Based on regional biomass from stock assessment.
 - Within a region:
 - Divided equally, or
 - In proportion to base allocations
 - Under all options, ME & NH each receive 1% of N region surplus

Potential management approaches

G) Regional configurations

- Multiple approaches consider how to incorporate regional biomass into the allocations.
- Sub-options for regional configurations
 - 2 regions: MA-NY & NJ-NC.
 - 3 regions: MA-NY, NJ, & DE-NC.
 - ME & NH left unchanged or modified as specified under individual options.
 - Other regional configurations may require use of data other than stock assessment.

Potential management approaches

H) Hybrid approaches

- Combination of multiple approaches.
- Pros: flexibility, compromise.
- Cons: complexity.
- PDT recommends removing.
 - May not add benefits beyond other options already under consideration.



Potential management approaches

I) Inclusion in Council FMP

- Should the state allocations be added to the MAFMC FMP? (Currently only in ASMFC FMP.)
- Would allow both groups to have a voting role in future changes.
- Would require GARFO to monitor landings at state level.
- Transfers between states would still be allowed but would be managed by GARFO.
- Other changes could be considered.

Potential management approaches

G) Sub-options for inclusion in Council FMP

- State quota overages
 - Paybacks only if coastwide quota is exceeded (current process).
 - States always pay back overages (summer flounder process).
- In-season closures
 - Coastwide federal closure when quota projected to be exceeded (current process).
 - Coastwide federal closure when ACL projected to be exceeded (summer flounder process).

Scoping comments

- Council only scoping period
- 2 webinar hearings + written comment period
- 44 individuals attended one or both webinars
- 25 individuals/organizations provided comments
- Mostly affiliated with commercial fishery (76%)
- At least 7 states

State	Count	% of total
VA	7	28%
NJ	7	28%
MD	2	8%
NC	2	8%
NY	2	8%
MA	1	4%
RI	1	4%
Multiple	2	8%
Unknown	1	4%
Total	25	100%

Scoping: general comments

- Biomass very high off S states. S landings have not decreased. (8)
- Premise of amendment is “unsound.” (2)
- Allocations should account for stock distribution + landings. (2)
- Concerns about discards. (4)
- Current allocations not based on data, not fair to all states. (4)
 - NJ allocation should not decrease for this reason. (2)

Scoping: data considerations

- Should carefully consider data used to inform allocations. (4)
 - Distribution of fishing effort not necessarily reflective of stock distribution. (2)
 - Current allocations based on years with:
 - Intentional under-reporting by some NY dealers. (1)
 - Different size regulations across states, some markets for very small fish. (1)
- Stock assessment concerns. (3)

Scoping: no action

- Do not change the allocations. (11)
- Do not take allocation from the S states and give to N states. (6)

Scoping: specific approaches

- Not in favor of DARA. E.g., too many moving parts, data lags. (3)
- Not in favor of trigger because could result in lower NJ allocation. (2)
- Increase CT allocation. (3)

Scoping: frequency of changes

- Re-evaluate allocations on a regular basis and consider stock distribution. (2)
- Support dynamic allocations or sunset provisions. (1)
- Use incremental changes if would decrease an individual state's quota below historical levels. (1)

Scoping: other approaches

- Treat NJ + NY as a region. Do not include NJ in S region. (1)
- Allow unused quota to rollover to states that feel especially constrained by their allocations. (1)
- Use ITQs in additional states and allow ITQ holders to buy/sell across states. (3)

Scoping: Council role

- Add allocations to Council FMP/Council should play greater role. (9)
- Don't add to Council FMP – unnecessary and concerns about representation. (1)
- Allow transfers to continue under Council FMP. (3)

Next steps

August 2020	Approve final range of alternatives and draft addendum document for public comment.
Fall 2020	Public hearings.
December 2020	Final action.
Early 2021	Implementation of changes through Commission's FMP.
Early though mid-2021	Federal rulemaking and comment periods (if needed).
Late 2021/Early 2022	Effective date of changes to Council FMP (if any).

Questions/discussion

- Are any changes needed to the draft management approaches?
- Consider removing
 - Hybrid approaches
 - Dynamic base allocations