



# Summer Flounder, Scup, & Black Sea Bass Commercial/Recreational Allocation Amendment

Advisory Panel Meeting  
March 23, 2021



# Meeting Objectives

- Brief recap of alternatives
- Review of public comments
- Provide feedback and recommendations for final action at Council and Board's April meeting

# Action Timeline

<b>Oct 2019</b>	Amendment initiated
<b>Feb – Mar 2020</b>	Scoping hearings and comment period
<b>May - Dec 2020</b>	Development and approval of management alternatives
<b>Feb – Mar 2021</b>	Public hearings and comment period
<b>March 2021</b>	Advisory Panel and FMAT meetings to review public comments and provide recommendations for final action
<b>April 2021</b>	Final action
<b>Apr – Dec 2021</b>	Document submission and rulemaking
<b>Jan 2023</b>	Anticipated target date (previously 2022)

# Amendment Purposes

1. Consider potential modifications to the allocations of catch or landings between the commercial and recreational sectors for summer flounder, scup, and black sea bass.
2. Consider the option to transfer a portion of the allowable landings each year between the commercial and recreational sectors.
3. Consider whether future modifications to the com/rec allocation and/or transfer provisions can be achieved through an FMP addendum/framework action.

# Need for Action

- Revised MRIP estimates were incorporated into stock assessments in 2018-2019, impacting biomass estimates and catch limits
- **Due to fixed allocations in the FMP, Recreational Harvest Limits resulting from new assessments generally did not increase to the same degree as the revised MRIP harvest estimates**
- Management implications due to discrepancy between the current levels of estimated rec. harvest and the sector allocations (based on old data)

# Management Implications of MRIP Transition

- **Summer flounder** harvest limits increased by ~49% in 2019, but new MRIP harvest estimate close to new RHL. Rec. liberalizations not possible for 2019-2021.
- **Scup** harvest limits *decreased* in 2020 due to declining stock biomass. 2019 MRIP estimates 54% higher than 2020 RHL.
- **Black sea bass** limits increased by 59% in 2020. However, even with this increase, 2019 MRIP estimates 48% higher than 2020 RHL.
- Status quo rec measures for BSB and scup justified as a temporary solution while allocation is evaluated.
  - **If allocations not modified, near-term restrictions in rec. measures (possibly severe) for scup and BSB are likely.**

# Commercial/Recreational Allocation

- Options for **modified allocation percentages** based on updated data, different time series (alternative sets 1a, 1b, and 1c; section 4.1)

# Catch vs. Landings-Based Allocations

- Catch and landings-based allocation options for all 3 species
  - **Catch** = landings + dead discards
  - **Landings** = harvested fish only
- Dead discards must be accounted for in catch limits regardless of allocation type
  - Under a landings-based allocation, calculations of expected discards by sector vary based on annual considerations
- Landings-based allocations are a holdover from pre-catch limit mgmt. for summer flounder and black sea bass. Scup currently uses a catch-based allocation.



# Catch vs. Landings-Based Allocations

## Catch-based allocations

- Allocation **applied to entire ABC** (landings + dead discards)
- Changes in landings and dead discards in one sector do not influence the other sector's Annual Catch Limit (ACL).
- Dead discards projected for each sector; subtracted from sector ACLs to determine landings limits.

## Landings-based allocations

- Allocation **applied only to landings portion of ABC**. Requires first splitting ABC into expected landings & dead discards.
- Dead discards are split by sector usually based on recent trends.
- Changes in landings and dead discards in one sector influence the catch and landings limits of the other sector.

## Under Both Approaches:

- Com. and rec. ACLs, ACTs, commercial quota and RHL are required. Does not change the way the fisheries are managed under these limits.
- Dead discards must be projected and accounted for by sector.
- Separate Accountability Measures (AMs) still required for each sector

**Main difference: the step in the calculations at which the com/rec allocation percentages are applied.**

# Catch vs. Landings-Based Allocations

- **Resulting allocation percentages not directly comparable** as allocations are applied to landings in one method and catch in another

# Summer Flounder Commercial/Recreational Allocation

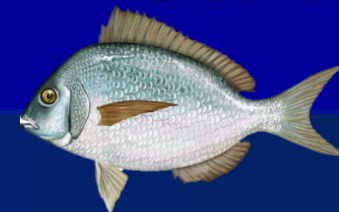
## Summer Flounder: Alternative Set 1a



Catch based alternatives	Basis
1a-1: <b>44%</b> com., <b>56%</b> rec.	2004-2018 base years
1a-2: <b>43%</b> com., <b>57%</b> rec.	Multiple approaches: 2009-2018 base years, approximate status quo harvest per sector compared to 2017/2018
1a-3: <b>40%</b> com., <b>60%</b> rec.	2014-2018 base years

Landings based alternatives	Basis
1a-4: <b>60%</b> com., <b>40%</b> rec.	<b>No action/status quo</b> (1980-1989)
1a-5: <b>55%</b> com., <b>45%</b> rec.	Same base years, new data (1981-1989; 1980 data unavailable)
1a-6: <b>45%</b> com., <b>55%</b> rec.	Multiple approaches: 2009-2018 and 2004-2018 base years
1a-7: <b>41%</b> com., <b>59%</b> rec.	2014-2018 base years

# Scup Commercial/Recreational Allocation



## Scup: Alternative Set 1b

Catch based alternatives	Basis
<b>1b-1: 78% com., 22% rec.</b>	<b>No action/status quo</b> (1988-1992)
<b>1b-2: 65% com., 35% rec.</b>	Same base years, new data (1988-1992)
<b>1b-3: 61% com., 39% rec.</b>	Multiple approaches: 2009-2018 base years and average of other approaches approved by Council/Board in June 2020
<b>1b-4: 59% com., 41% rec.</b>	Approximate status quo harvest per sector compared to 2018/2019
Landings based alternatives	Basis
<b>1b-5: 57% com., 43% rec.</b>	Multiple approaches: Same base years, new data; 2014-2018 base years; 2009-2018 base years
<b>1b-6: 56% com., 44% rec.</b>	2004-2018 base years
<b>1b-7: 50% com., 50% rec.</b>	Approximate status quo harvest per sector compared to 2018/2019

# Black Sea Bass Commercial/Recreational Allocation



## Black sea bass: Alternative Set 1c

### Catch based alternatives

### Basis

**1c-1: 32%** com., **68%** rec.

Approximate status quo harvest per sector compared to 2018/2019

**1c-2: 28%** com., **72%** rec.

2004-2018 base years

**1c-3: 24%** com., **76%** rec.

2009-2018 base years

### Landings based alternatives

### Basis

**1c-4: 49%** com., **51%** rec.

**No action/status quo** (1983-1992)

**1c-5: 45%** com., **55%** rec.

Same base years, new data (1983-1992)

**1c-6: 29%** com., **71%** rec.

Approximate status quo harvest per sector compared to 2018/2019

**1c-7: 22%** com., **78%** rec.

2009-2018 and 2014-2018 base years

# Allocation Revision Impacts

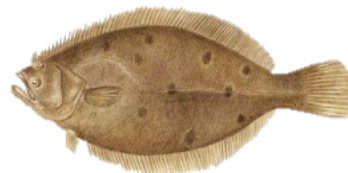
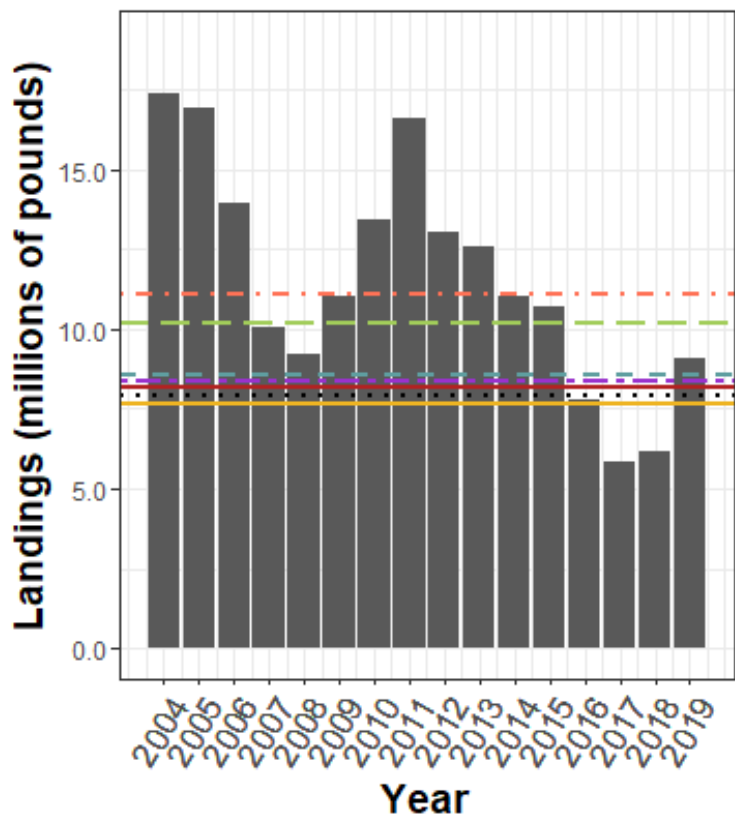
- **We cannot precisely predict future quotas and RHLs under current or revised allocations**
  - Depend on future biomass projections and resulting ABCs (unknown beyond 2021)
  - Also depend on annual projections of sector-specific dead discards (Monitoring Committee recommends, usually based on recent trends)
  - Discarding patterns may change with revised allocations – example quotas and RHLs attempt to account for this

# Allocation Revision Impacts

- Example quotas and RHLs developed using 2020 ABCs and regression method to predict future discards (see Appendix C for details)
  - Discards are positively correlated with landings
- **Example quotas and RHLs should be taken with a grain of salt; actual limits will vary under different ABCs and changes to discard patterns**

# Allocation Revision Impacts: Summer Flounder

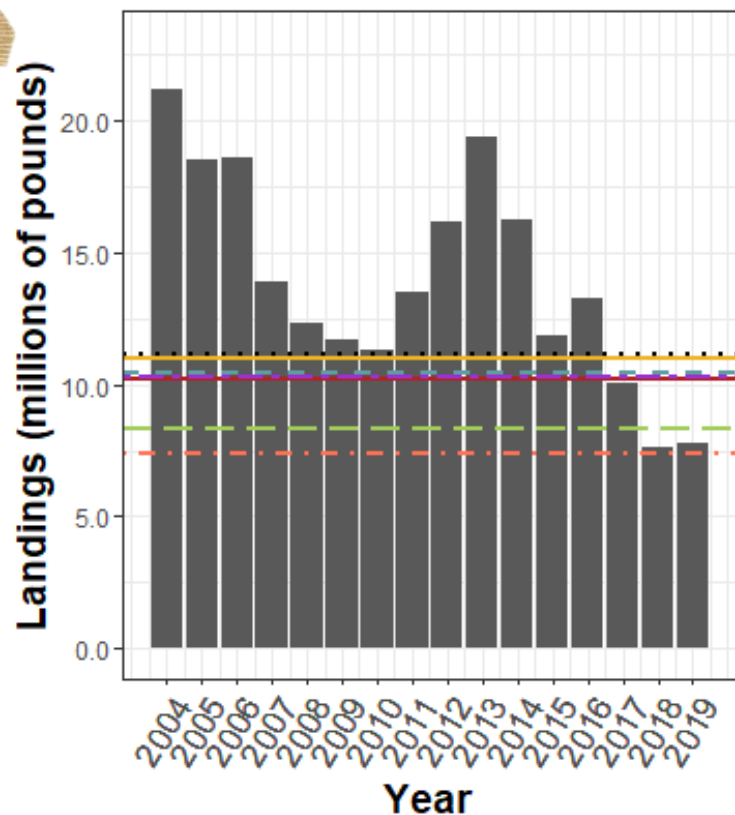
Commercial



- Alternatives
- Alternative 1a-1
  - Alternative 1a-2
  - Alternative 1a-3
  - Alternative 1a-4\*
  - Alternative 1a-5
  - Alternative 1a-6
  - Alternative 1a-7

\*Status quo

Recreational



2004-2019 commercial and recreational summer flounder landings with comparison to example commercial quotas and RHLs developed using the 2020 ABC

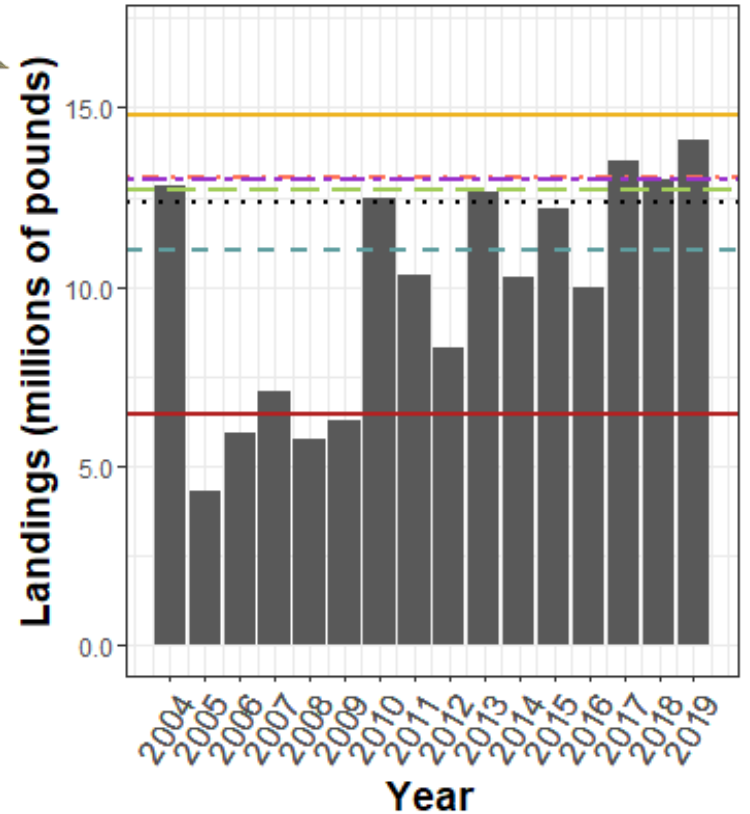
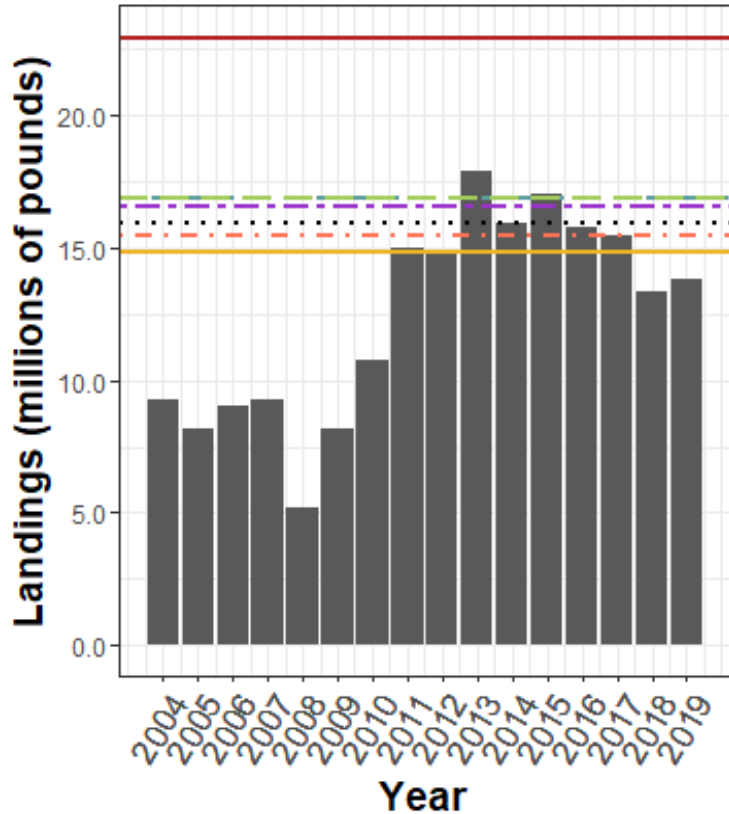


# Allocation Revision Impacts: Scup



Commercial

Recreational

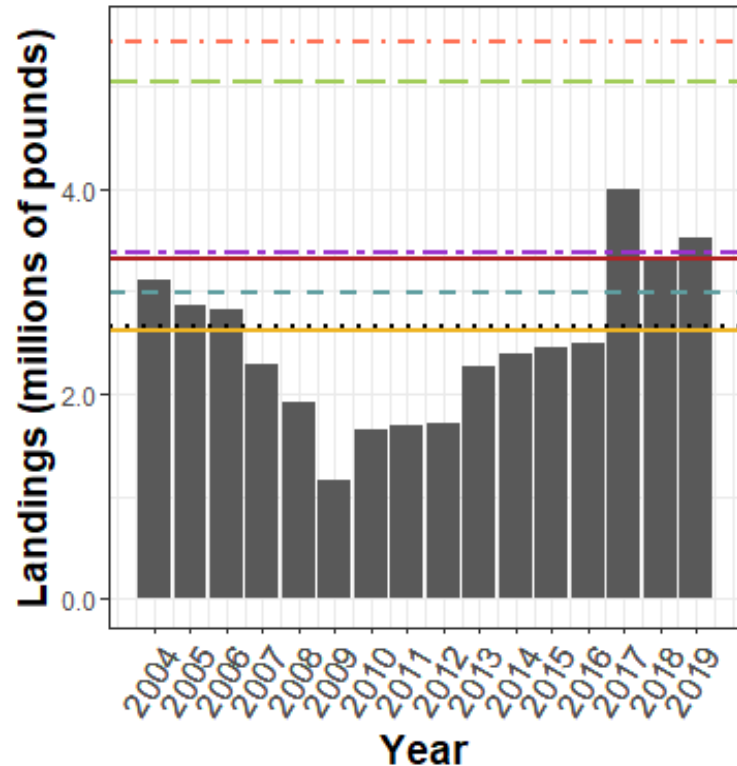


2004-2019 commercial and recreational scup landings with comparison to example commercial quotas and RHLs developed using the 2020 ABC

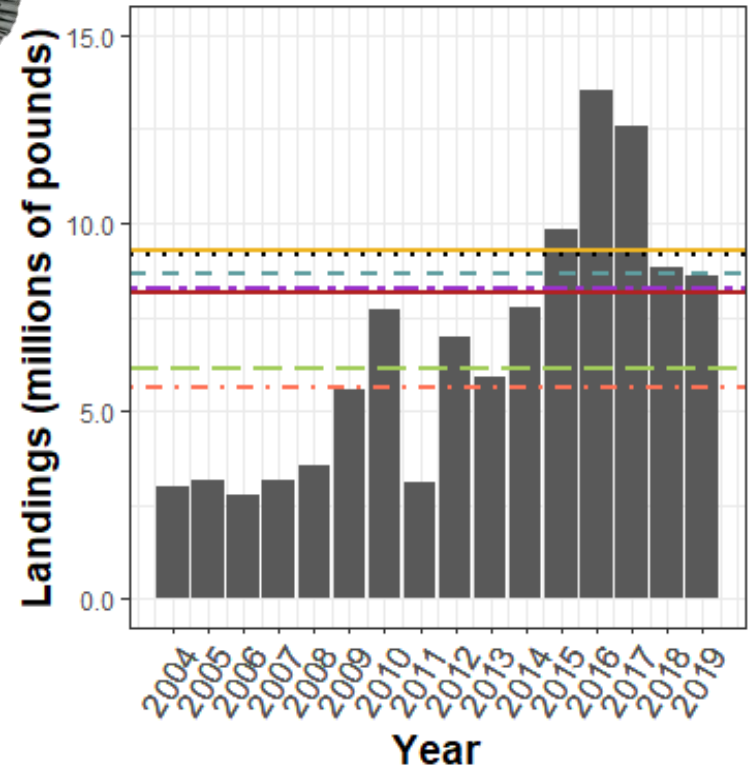
# Allocation Revision Impacts: Black Sea Bass



**Commercial**



**Recreational**



- Alternatives
- Alternative 1c-1
  - - - Alternative 1c-2
  - ... Alternative 1c-3
  - · - · Alternative 1c-4 \*
  - - - Alternative 1c-5
  - - - Alternative 1c-6
  - - - Alternative 1c-7
- \*Status quo

2004-2019 commercial and recreational black sea bass landings with comparison to example commercial quotas and RHLs developed using the 2020 ABC

# Allocation change phase-in alternatives

- Options for phase-in of allocation changes (alternative set 1d; section 4.3)

## Alternative

**1d-1:** No phase-in

**1d-2:** Allocation % shift evenly divided over **2 yrs**

**1d-3:** Allocation % shift evenly divided over **3 yrs**

**1d-4:** Allocation % shift evenly divided over **5 yrs**

- Specific phase-in percent shifts under each alternative shown in Tables 11-13 in hearing document

# Transfers Between Sectors

## Transfer Alternatives

**2a:** No action (transfers between sectors not allowed).

**2b:** Allow optional bi-directional transfers through the specifications process.

## Transfer Cap Alternatives

**2c-1:** No transfer cap; any amount of the ABC be transferred.

**2c-2:** Max transfer of 5% of the ABC.

**2c-3:** Max transfer of 10% of the ABC.

**2c-4:** Max transfer of 15% of the ABC.

# Transfers Between Sectors

## Pros

- Flexibility to address annual sector and fishery needs
- Could be used to prevent overages in one sector
- Optional; tool in the toolbox

## Cons

- Unable to accurately project current year harvest; older data needed
- Difficult to evaluate need for transfer, especially if allocations revised
- Likely desire to liberalize rec. measures instead of transferring projected rec. underage to commercial sector

# Transfer Cap Impacts

- **Higher caps** = more management flexibility, but potentially more complex decision-making and potential fluctuation in limits
- **Lower caps** = less flexibility, but reduces complexity and potential annual fluctuation in limits

# Changes Through Frameworks/Addenda

## Framework/addendum provision alternatives

**3a:** No action

**3b:** Allow future changes to com/rec allocations, transfers, and other measures included in this amendment to be made through framework actions/addenda

- Frameworks/addenda: more efficient, but fewer comment opportunities
- Amendment may be used if appropriate or necessary--tool in the toolbox

# Public Comments

- 5 Public hearings: 233 individuals total, ~48 unique individuals provided comments
- Summary of written and/or in-person comments by primary affiliation:

Primary sector	Number of individuals/organizations	Percent of total
Recreational sector	86	27%
Commercial sector	212	65%
Multiple	8	2%
Other	4	1%
Unknown/not specified	14	4%
<b>Total</b>	<b>324</b>	<b>100%*</b>

\* Sum of percentages do not add up to 100% due to rounding.



# Public Comments: Allocation Alternatives

Allocation Alternative	Commenters in favor
Status quo allocation for all 3 species	229
Supported an allocation change for at least one species	50
SF allocation change	45
Scup allocation change	40
BSB allocation change	43

# Public Comments: Summer Flounder Allocation Alternatives

Alternative	Commenters in favor
1a-1: 44% com., 56% rec.	4
<b>1a-2: 43% com., 57% rec.</b>	<b>12</b>
<b>1a-3: 40% com., 60% rec.</b>	<b>16</b>
<b>1a-4: 60% com., 40% rec. (SQ)</b>	<b>229</b>
1a-5: 55% com., 45% rec.	0
1a-6: 45% com., 55% rec.	8
1a-7: 41% com., 59% rec.	5

# Public Comments: Scup Allocation Alternatives

Alternative	Commenters in favor
<b>1b-1: 78% com., 22% rec. (SQ)</b>	<b>230</b>
1b-2: 65% com., 35% rec.	1
<b>1b-3: 61% com., 39% rec.</b>	<b>18</b>
1b-4: 59% com., 41% rec.	8
<b>1b-5: 57% com., 43% rec.</b>	<b>9</b>
1b-6: 56% com., 44% rec	0
1b-7: 50% com., 50% rec.	4

# Public Comments: BSB Allocation Alternatives

Alternative	Commenters in favor
<b>1c-1: 32% com., 68% rec.</b>	<b>10</b>
1c-2: 28% com., 72% rec.	8
<b>1c-3: 24% com., 76% rec.</b>	<b>10</b>
<b>1c-4: 49% com., 51% rec. (SQ)</b>	<b>233</b>
1c-5: 45% com., 55% rec.	0
<b>1c-6: 29% com., 71% rec.</b>	<b>10</b>
1c-7: 22% com., 78% rec.	5

# Public Comments: Phase-in Alternatives

Phase-in alternative	Commenters in favor
1d-1: No phase-in (SQ)	21
1d-2: Allocation % shift evenly divided over 2 yrs	10
1d-3: Allocation % shift evenly divided over 3 yrs	1
1d-4: Allocation % shift evenly divided over 5 yrs	1

# Public Comments: Transfer Alternatives

Transfer alternative	Commenters in favor
<b>2a: no transfers (SQ)</b>	<b>184</b>
<b>2b: Allow optional bi-directional transfers</b>	<b>18</b>
2c-1: No transfer cap; any amount of ABC	3
2c-2: Max transfer of 5% of the ABC	5
2c-3: Max transfer of 10% of the ABC	6
2c-4: Max transfer of 15% of the ABC	1

# Public Comments: Framework/Addendum Alternatives

Framework/Addendum alternative	Commenters in favor
3a: No action (SQ)	178
3b: Allow future changes to com/rec allocations, transfers, and other measures included in this amendment to be made through framework actions/addenda	21

# Public Comments: Other Themes

Catch vs. landings based	Commenters
Supported at least one <b>catch-based</b> alternative (and no landings-based alternatives)	18
Supported <b>catch-based</b> as a concept	16
Supported at least one <b>landings-based</b> alternative (and no catch-based alternatives)	3
Supported <b>landings-based</b> as a concept	2



# Public Comments: Other Themes

<b>Fishery constraint/monitoring</b>	<b>Commenters</b>
Commercial fishery is much more controlled/constrained than recreational (e.g., limited access, in-season closures)	25
Commercial catch is much better quantified than recreational catch	25

<b>Comments about impacts</b>	<b>Commenters</b>
Commercial sector cannot afford to lose quota/livelihoods are at stake	167
Negative impacts to general public/consumers if lower com allocation (e.g., need a steady supply of affordable fish)	133

# Public Comments: Other Themes

<b>Rec Reform Comments</b>	<b>Commenters</b>
Comments in favor of pursuing Rec Reform first or instead of allocation changes	35
Comments in support of Rec Reform, but not instead of or before this amendment	11

<b>Comments about discards</b>	<b>Commenters</b>
Discards are a problem	19
Reallocation will turn commercial landings into recreational dead discards	23

# Public Comments: Other Themes

<b>Concerns about data or analysis</b>	<b>Commenters</b>
Concerns about validity of data (mostly MRIP, some concerns about commercial data)	15
Alternatives don't have a strong scientific basis or basis not well justified	7
Impacts analysis not sufficient or complete (e.g., only includes example quotas and RHLs)	3

<b>Other comments not directly related to allocations</b>	<b>Commenters</b>
Comments on recreational bag/size/season limits	36
General concerns about stock status and impacts of fisheries	11
Catch limits should be higher for both sectors	7
Concerns about habitat issues (e.g., pollution, beach replenishment)	6

# AP Objective

- Provide feedback and recommendations for final action at Council and Board's April meeting
- Any additional written comments: submit by 5pm Thursday, April 1 to be included in supplemental meeting materials