



Summer Flounder, Scup, and Black Sea Bass Advisory Panel Meeting Summary December 3, 2014

The Mid-Atlantic Fishery Management Council's (Council's) Summer Flounder, Scup, and Black Sea Bass Advisory Panel met jointly with the Atlantic States Marine Fisheries Commission's (Commission's) Summer Flounder, Scup, and Black Sea Bass Advisory Panel via webinar on December 3, 2014 to discuss 2015 recreational management measures.

Council Advisory Panel members present: Rick Bellavance (RI), Steve Witthun (NY), Steve Witthuhn (NY), Thomas Siciliano (NJ), Adam Nowalsky (NJ), Greg DiDomenico (NJ)*, Monty Hawkins (MD), Skip Feller (VA), James Fletcher (NC)

Commission Advisory Panel members present: Joseph Huckemeyer (MA), James Tietje (MA), Michael Plaia (RI), Frank Blount (RI), Michael Hall (RI), Travis Barao (RI), Marc Hoffman (NY), Bob Meimbresse (NJ), Bill Shillingford (NJ), Mike Fedosh (NJ), Greg DiDomenico (NJ)*, Victor Bunting (MD), Buddy Seigel (MD), Michael Ireland (NC), Art Smith (NC)

Others present: Kiley Dancy (Council staff), Kirby Rootes-Murdy (Commission staff), Moira Kelly (NMFS GARFO), Lauren Morris, Greg Power, Sonia Sharan, Jerry Schill, Katie Almeida

*Serves on both Council and Commission Advisory Panels.

General Comments

As noted in previous Fishery Performance Reports and Advisory Panel summaries, advisors continue to have serious concerns with the Marine Recreational Information Program (MRIP) estimates and methodologies. Many of the discussions centered on catch estimates perceived as wildly unrealistic for certain states and mode combinations. Several advisors agreed that there have been no meaningful changes in methodology since the transition from MRFSS to MRIP. Most advisors present on the call continue to be concerned about recreational effort estimation methodologies, believing both that the current coastal household telephone survey is inadequate and that the transition to a mail based survey will not be an improvement. At least one advisor commented, similar to comments made in previous years, that the current effort estimation methodology has not accurately captured a reduction in effort in New York and New Jersey due to Superstorm Sandy.

Another concern discussed by the advisors was the increasing complications of managing species both in pounds and in numbers of fish. Most recreational participants think in terms of numbers of fish, not pounds. Advisors also noted that as average fish sizes increase, managing in both weight and numbers is increasingly becoming a management problem. Several commenters noted that different management groups appear to be switching back and forth between pounds and numbers, or managing in a way that's inconsistent with another group. When the average weight of fish increases substantially, this often results in large increases in total harvested weight, while the number of fish harvested is steady or decreasing. One advisor requested a report on the differences in managing in pounds vs. numbers, and an explanation of how it impacts the assessment models and other management tools.

One advisor noted that private anglers need to have better catch accounting, and that fishermen should be able and required to report via smartphone apps.

Several advisors requested that Council and Board members as well as SSC members be represented during the Advisory Panel webinars or meetings, as they have been for some meetings in the past.

Summer Flounder 2015 Measures

The vast majority of advisors on the call were in favor of continuing conservation equivalency for summer flounder in 2015. One advisor noted that the regional approach still does not address the issue of high discard rates, particularly up north where larger fish are being discarded. Many advisors like the regional approach to conservation equivalency, although a few suggested that the regions be modified. Specifically, advisors from New Jersey indicated that regional management has negatively impacted southern New Jersey in particular, and that the regions should be reconsidered. This is largely due to the problem of differing regulations between New Jersey and Delaware in Delaware Bay. One advisor noted that this type of problem will occur wherever there is a line drawn, but regardless that measures should not be coastwide, as coastwide measures would unfairly negatively impact some states.

One advisor requested, similar to comments made in previous AP meetings, that the Council and Board consider a total recreational length limit, rather than an individual fish size limit. For example, anglers could keep any sized fish in any number as long as the total number of inches did not exceed 60 (or some other number). Others noted that this has been discussed before and shot down due to enforceability and logistical concerns.

Scup 2015 Measures

At least one advisor noted that managers should not be cutting back the Recreational Harvest Limit (RHL), regardless of projected spawning stock biomass, given that scup biomass is so far above the target and neither the commercial nor the recreational fishery has been harvesting their quota. Several advisors agreed that managers need to be more conscious of how high scup biomass is impacting other species in terms of predation effects, and move away from single species management.

Most advisors agreed that Federal scup measures should be liberalized by increasing the recreational possession limit, and allowing states to control harvest by choosing the possession limits that they find to be appropriate. Several noted that an ideal increase in Federal waters would be to 50 fish (the largest bag limit among states). Another advisor called for a more modest increase in the bag limit, and indicated that this would communicate to the general public that recreational adjustments are not a one-way street consisting only of restrictions. A higher Federal bag limit would help reduce adverse effects to Federal permit holders, who are bound by the more restrictive of state and Federal measures (unless they go through the trouble of dropping their Federal permit). A few advisors noted that in contrast to the information displayed in the staff memo about where the majority of scup fishing occurs, Rhode Island and New York do most of their fishing for scup in Federal waters. Generally, many advisors have been seeing more scup in deeper waters, meaning an increase in scup catch in Federal waters and a slight decline in state waters.

An increase in the bag limit was generally preferred over decreasing the size limit. Several advisors indicated that they were happy with the current size limit in their state and in Federal waters, with a few noting that they would in fact be opposed to lowering the current size limits. One advisor commented that reducing the size limit from 10 inches (the current size limit for most northern states) would have no practical effect, as they do not have problems finding scup of legal size and most people do not prefer to keep scup smaller than this. One advisor did raise the possibility of lowering the size limit, arguing that the commercial fishery has a smaller size limit (compared to northern states' regulations). Given that the

commercial fishery has 78% of the quota, this advisor did not think that a smaller recreational size limit would negatively impact spawning capacity.

Black Sea Bass 2015 Measures

Advisors agreed that MRIP catch estimates for black sea bass are very problematic, with some comments noting that the numbers are very far from reality and should not be taken seriously or used for management. Specific examples were cited, including MRIP estimates that describe New York and Massachusetts private boats as harvesting 1,250,000 lb of black sea bass through wave 4 in 2014, which is more than all party/charter landings for black sea bass in the entire U.S. for that same time period. Several advisors agreed that this was highly improbable or impossible. Another noted that between 2012 and 2014, there has been more than a 10-fold increase in the MRIP estimates for Massachusetts private angler landings for July and August.

Increases and decreases in catch rates by mode and state, as shown through MRIP, are not matching up with increases or decreases in effort or boats that advisors see on the water. For example, some advisors see trends in MRIP such as increasing private angler catch and effort and decreasing party/charter catch and effort, which do not match up with trends they are seeing. When discussing MRIP's planned transition to a mail-based effort survey, a few advisors commented that this would only make unrealistically high or low numbers more extreme.

Some advisors noted that the population of sea bass in the northeast is growing exponentially, and noted that they are seeing sea bass in areas where they previously weren't found, such as Long Island Sound. One advisor noted that a tagging study a few years ago demonstrated sub-populations of black sea bass within the northern stock, which is not being taken into account by managers. At least one advisor noted that sea bass abundance in the northeast is undermining efforts to manage other species, due to competition. Additionally, the expanding population is preying on other species such as juvenile lobsters and other shellfish.

In regards to the recreational seasons for black sea bass, one advisor pointed out that it is disadvantageous to have a closure in Federal waters that does not match up with the seasons in state waters. In Federal waters, they would prefer no in-season closures given that it disenfranchises federally permitted boats. This occurred this year with the closure during parts of September and October, which did not match up with many state regulations. Federal permit holders were forced to drop their Federal permits if they wished to continue fishing for sea bass, and later reapply. It was requested that Federal and state closures match up if a seasonal closure is necessary. Another advisor noted that it would be best if the Federal measures were 12.5 in TL minimum size, a 15 fish possession limit, and no closed season, so that the states could specify seasons that work for each state without being impacted by the Federal seasons. Regarding why catch rates are down in the southern states, an advisor from Virginia noted that this is due to their season being closed when sea bass are most available to the fishery. The advisors requested that when accounting for the 4 day earlier opening in May, any seasonal adjustment should include as many weekend days as possible.

Advisors are supportive of the Technical Committee/Monitoring Committee and Scientific and Statistical Committee coming up with improved data and methodologies for specifying catch limits. There was general agreement that the current constant catch approach is not working for black sea bass.

Several advisors were unhappy that the Council chose not to open the black sea bass recreational fishery in wave 1 (January/February), given that Vessel Trip Reports (VTRs) are required and available for federally

permitted vessels. These advisors do not feel that lack of MRIP sampling during this wave is sufficient reason to close that period to fishing.