



August 2020 Council Meeting Report

The following summary highlights actions taken and issues considered at the Mid-Atlantic Fishery Management Council’s meeting August 10-13, 2020. This meeting was conducted by webinar due to the ongoing COVID-19 pandemic. Presentations, briefing materials, and webinar recordings are available at <http://www.mafmc.org/briefing/august-2020>.

During this meeting, the Council:

- Adopted Atlantic mackerel and butterfish specifications for 2021-2022 and longfin squid specifications for 2021-2023
- Revised 2021 specifications for summer flounder, scup, and black sea bass based on the Council’s new risk policy and updated ABCs
- Reviewed previously-implemented 2021 specifications for bluefish and recommended no changes*
- Approved a range of alternatives for the for the Summer Flounder, Scup, and Black Sea Bass Commercial/Recreational Allocation Amendment*
- Adopted 2021-2026 specifications for Atlantic surfclams and ocean quahogs and received updates on the commingling/discard issue and surfclam genetic study
- Elected officers, swore in three new members and two reappointed members, and bid farewell to three departing members
- Reviewed public input on Executive Order 13921 and provided direction on possible areas of focus
- Supported the formation of an SSC Socio Economic Working Group
- Agreed to send a letter to NEFMC requesting that the development of an amendment to address leasing in the full-time limited access sea scallop fishery be prioritized for 2021
- Agreed to send a second letter to GARFO and NEFSC expressing concern about the redeployment of observers and requesting an extension of the observer waiver through the end of the year

** Items denoted with an asterisk (*) were undertaken during joint meetings with the Atlantic States Marine Fisheries Commission’s Summer Flounder, Scup, and Black Sea Bass Management Board or Bluefish Management Board.*

Mackerel, Squid, Butterfish Specifications

The Council adopted specifications for Atlantic mackerel (including a river herring and shad cap), longfin squid, and butterfish. The Council’s recommendations are summarized in the table below (2020 values are provided for comparison purposes).

	Domestic Annual Harvest (DAH)			
	<i>metric tons</i>			
	2020	2021	2022	2023
Atlantic Mackerel	17,312	17,312	17,312	N/A
Longfin Squid	22,932	22,932	22,932	22,932
Butterfish	23,752	6,350	11,495	N/A

Atlantic Mackerel 2021-2022 Specifications and River Herring/Shad Cap

The Council reviewed fishery landings and federal trawl survey indices through 2019 and considered recommendations from the Scientific and Statistical Committee (SSC), Monitoring Committee, Advisory Panel, and staff. Atlantic mackerel is currently under a rebuilding program designed to rebuild the stock by June 2023. The available information indicates that the stock status has not changed substantially since it was last reviewed.

Accordingly, the Council voted to maintain the Acceptable Biological Catch (ABC) at 29,184 mt (metric tons), as recommended by the SSC. After accounting for Canadian landings, recreational catch, management uncertainty, and discards, the domestic annual harvest (i.e. “quota” or “DAH”) would also remain 17,312 mt. A management track assessment for mackerel is expected in 2021.

In addition, the Council reviewed recent performance of the river herring and shad (RH/S) cap and voted to maintain the 129 mt cap for 2021-2022 as well. The 129 mt cap will continue to provide a high incentive for the fleet to avoid RH/S. Staff is developing a series of discussion papers later in the year that will consider issues including potential RH/S cap alignment with New England, localized bycatch hotspots, and use of trawl data to adjust the cap.

Longfin Squid 2021-2023 Specifications

The recent management track stock assessment for longfin squid concluded that the stock is not overfished, and the status of overfishing remains unknown. The Council reviewed recent fishery performance and considered recommendations from the SSC, Monitoring Committee, Advisory Panel (AP), and staff. Based on the recommendation of the SSC, the Council voted to maintain the ABC at 23,400 for 2021-2023. After a 2% reduction to account for commercial discards, this results in a status quo commercial quota of 22,932 mt. Another management track assessment for longfin squid is expected in 2023.

Butterfish 2021-2022 Specifications

The recent management track stock assessment for butterfish concluded that the stock is not overfished and overfishing is not occurring. However, declining recruitment has led to declines in biomass, and as of 2019 biomass is estimated to have been only 69% of the target. The Council considered two ABC approaches – a “varying” approach, which would set the ABC lower in 2021 and higher in 2022, and an “averaged” approach, which would produce an average ABC for both years. The Council ultimately selected the variable approach, as recommended by the SSC, and adopted ABCs of 11,993 and 17,854 for 2021 and 2022, respectively. After accounting for management uncertainty and discards (including a 3,884 mt cap for the longfin squid fishery), the Council recommended DAHs of 6,350 mt for 2021 and 11,495 for 2022. Although the 2021 DAH represents a 73% reduction compared to 2020, the reduced quota may not be constraining given recent low butterfish landings. A research track assessment for butterfish is expected in 2022.

Summer Flounder, Scup, and Black Sea Bass 2021 Specifications

The Council met jointly with the Atlantic States Marine Fisheries Commission’s (ASMFC) Summer Flounder, Scup, and Black Sea Bass Management Board (Board) to review previously implemented 2021 specifications for summer flounder, scup, and black sea bass. In December 2019 the Council approved a revised risk policy with the intent that 2021 specifications would be revised to reflect the new policy. As such, the Council’s SSC recommended new 2021 ABC limits for summer flounder, scup, and black sea bass. Based on the revised ABCs and other considerations, the Council and Board voted to revise the 2021 specifications for these species.

The table below summarizes the 2021 commercial quotas and recreational harvest limits (RHL) for summer flounder, scup, black sea bass recommended by the Council and Board (2020 values are provided for comparison purposes).

	Commercial Quota <i>millions of pounds</i>		Recreational Harvest Limit <i>millions of pounds</i>	
	2020	2021	2020	2021
Summer Flounder	11.53	12.49	7.69	8.32
Scup	22.23	20.50	6.51	6.07
Black Sea Bass	5.58	6.09	5.81	6.34

Summer Flounder

The Council and Board received a data update, including fishery landings and federal trawl survey indices through 2019, and reviewed recommendations from the SSC, Monitoring Committee, Advisory Panel, and staff. Based on the SSC's recommendation to update measures based on the new risk policy, the Council and Board approved a revised ABC of 27.11 million pounds, which results in a commercial quota of 12.49 million pounds and an RHL of 8.32 million pounds for both years after accounting for expected discards. These revisions represent an approximately 8% increase from those currently implemented for 2020-2021.

Scup

The Council and Board received a data update, including fishery landings and federal trawl survey indices through 2019, and reviewed recommendations from the SSC, Monitoring Committee, Advisory Panel, and staff. Based on the SSC and Monitoring Committee recommendations to update measures based on the new risk policy, the Council and Board approved a revised ABC of 34.81 million pounds for 2021. This revised ABC represents a 13% increase from the currently implemented 2021 ABC and results in a commercial quota of 20.50 million pounds and an RHL of 6.07 million pounds in 2021.

The Council and Board also reviewed an evaluation of scup discards by mesh size, calendar quarter, and statistical area in the commercial fishery. Discards decreased in 2019, but they remain well above average in recent years. The Council and Board agreed with the Monitoring Committee recommendation that no immediate management action was needed but that discards should continue to be monitored.

Black Sea Bass

The Council and Board reviewed recent trends in commercial and recreational catch and federal trawl survey indices, as well as recommendations from the SSC, the Monitoring Committee, the Advisory Panel, and staff. They had an in-depth discussion of discard projections and the increased risk of overfishing under the revised 2021 ABC due to the reduced buffer between the OFL and the ABC. Based on the SSC's recommended ABC and the Monitoring Committee's recommendation for revised discard projections, the Council and Board approved a revised 2021 ABC of 17.45 million pounds, a commercial quota of 6.09 million pounds, and an RHL of 6.34 million pounds. The revised ABC is 16% higher than the previously implemented 2020-2021 ABC. The commercial quota and RHL are 9% higher than those previously implemented for 2020-2021. These represent the highest landings limits ever implemented by the Council and Board for black sea bass.

The Council and Board also reviewed the black sea bass recreational opening during February 2018-2020 and considered if changes are needed for February 2021. Based on Monitoring Committee's advice, they agreed to revise the values for initial expected February recreational harvest by state. These values are used by the states that participate in this optional season opening to adjust their recreational management measures for the rest of the year as needed to account for expected February harvest. States also have the option of adjusting their measures after February to account for estimated February harvest based on monitoring, rather than the initial expected harvest. However, all states that participate in the February opening must first adopt measures to account for the initial expected February harvest estimate. The revised expected February harvest estimates approved by the Council and Board reflect recent changes in the MRIP methodology.

Bluefish 2021 Specifications

The Council met jointly with the ASMFC's Bluefish Management Board to review previously implemented 2021 specifications for bluefish. As indicated in the summer flounder, scup, and black sea bass specification section, the Council approved a revised risk policy in December 2019 with the intent that 2021 specifications would be revised to reflect the new policy. However, the fact that bluefish is under a rebuilding plan led the Council's SSC to recommend no change to the previously implemented specifications. Based on these recommendations and other considerations, the Council and Board voted for a status quo bluefish ABC of 16.28 million pounds for 2021.

For landings limits, the Council and Board decided to use the 2019 estimate for recreational discards as opposed to the Monitoring Committee’s recommendation of an average discard estimate from 2017-2019, which results in an RHL of 8.34 million pounds. Commercial discards were considered negligible, resulting in a commercial quota of 2.77 million pounds. For 2021, no transfer was recommended from the recreational to commercial sector as the recreational sector is anticipated to harvest the entire RHL.

The table below summarizes 2021 commercial quotas and RHL for bluefish recommended by the Council and Board (2020 values are provided for comparison purposes).

	Commercial Quota <i>millions of pounds</i>		Recreational Harvest Limit <i>millions of pounds</i>	
	2020	2021	2020	2021
Bluefish	2.77	2.77	9.48	8.34

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

The Council and Board reviewed alternatives recommended by the Fishery Management Action Team (FMAT) for inclusion in a public hearing document for the Summer Flounder, Scup, and Black Sea Bass Commercial/Recreational Allocation Amendment. This amendment considers potential modifications to the allocations of total allowable catch or landings between the commercial and recreational sectors for these three species. Based on guidance provided by the Council and Board in June, the [FMAT developed draft alternatives](#) for 1) revised commercial/recreational allocations, 2) recreational for-hire sector separation, 3) provisions for quota transfers between the commercial and recreational fisheries, and 4) provisions to allow future modifications to these measures via framework action instead of an amendment.

The Council and Board approved the FMAT-recommended range of alternatives for commercial/recreational allocation options. The groups considered a motion to add options to increase the commercial allocations by 5%; however, they did not approve this motion as they could not identify a supportable justification for this increase, and it is not consistent with the goal of the amendment. They also considered but did not approve a motion to postpone development of this action indefinitely in response to concerns over data uncertainty and potential industry impacts.

The Council and Board voted to remove the alternatives related to recreational for-hire sector separation from further consideration in this action, consistent with the Council and Bluefish Board's decision to remove this issue from the Bluefish Allocation Amendment at their August 6 joint meeting. The intent of removing this issue from these actions is to allow exploration of sector separation through a broader process involving all four species, such as through the ongoing Recreational Reform Initiative. The Council and Board intend to discuss the Recreational Reform Initiative, including sector separation, at their next joint meeting.

For transfer provisions, the Council and Board approved most of the FMAT-recommended alternatives. They removed an alternative that would have allowed for annual quota transfers with limited pre-defined guidelines. They also approved the FMAT-recommended alternatives for framework provisions. The Council and Board are expected to review and approve a public hearing document in December. Additional information regarding the amendment process and timeline is available at: <https://www.mafmc.org/actions/sfsbsb-allocation-amendment>.

Surfclams and Ocean Quahog Specifications and Other Management Issues

The Council received the results of the most recent management track stock assessments for Atlantic surfclam and ocean quahog, both of which concluded that overfishing is not occurring in the most recent year and that the probability of either stock being overfished is low. The Council also reviewed the regulatory history, fishery performance, and advisory panel recommendations for both fisheries. Staff recommended that specifications

be set for 6 years (2021-2026) to create administrative efficiencies as a result of the new stock assessment process. Based on the ABC recommendations of the Council’s SSC, the Council adopted the specifications in the table below. The commercial quota has not changed since 2004 for surfclams and since 2005 for ocean quahogs.

	Annual Catch Target <i>metric tons</i>	Commercial Quota <i>metric tons</i>
	2021-2026	
Atlantic Surfclam	29,363	26,218
Ocean Quahog	25,924*	24,689*

* For combined Maine and non-Maine quahog fishery.

For surfclams, the Council also recommended continued suspension of the minimum shell-length requirements for 2021 given that the coastwide 30% threshold requiring a minimum size be implemented was not triggered. However, staff noted that the overall percentage of undersized clams is getting closer to the 30% trigger; therefore, the fishing industry is encouraged to work to avoid landing large numbers of undersized clams.

The Council also received an update on the surfclam/quahog commingling issue. As surfclams have shifted toward deeper water in recent years, catches including both surfclams and ocean quahogs (“commingling”) have become more common. Current regulations do not allow both species to be landed on the same trip or to be placed in the same tagged cages. The Council is forming an FMAT to explore options to address this issue. The FMAT will meet for the first time this fall to develop an action plan.

Finally, the Council received an update on a surfclam genetic study being conducted by researchers at Cornell University. This study aims to document the distributions and habitat preferences of the commercially-harvested Atlantic surfclam (*Spisula solidissima solidissima*), and its sister-taxon, the Southern Surfclam (*Spisula solidissima similis*) in the nearshore waters of the US Northwest Atlantic. As part of this research, high resolution genomic techniques will be developed to quantify amount of gene flow connectivity between each taxon and verify hybridization. The original sampling plan has been significantly impacted by the cancellation of federal and state surveys due to COVID-19. The research team is now planning to use a combination of federal samples collected in 2019, other existing samples from about 25 locations, and possibly a few other commercial samples to fill the sampling gaps.

Election of Officers and Swearing in of New and Reappointed Council Members

During the yearly election of officers, the Council re-elected Mike Luisi as Chairman and elected Paul Weston (Wes) Townsend as Vice Chairman. Mr. Luisi has served as Maryland’s designated state official since 2010 and has served as Council Chair since 2016. Mr. Townsend is currently in his second term as an appointed member holding Delaware’s obligatory seat. He is the owner/operator of the F/V PAKA out of Indian River Inlet in DE and has extensive experience with commercial fishing in state and federal waters.

The Council swore in three new members: Paul Risi from North Babylon, NY, Michelle Duval from West Chester, PA, and Dan Farnham from Montauk, NY. Also sworn in were two reappointed members: Dewey Hemilright from Wanchese, NC, who is beginning his third full term on the Council, and Sonny Gwin from Berlin, MD, who is beginning his second term on the Council.

Departing Council Members

The Council bid farewell to three departing members: G. Warren Elliott, Laurie Nolan, and Steve Heins. Mr. Elliott was appointed to the Council in 2011 and served for three consecutive terms. From 2016 until his departure in 2020, Mr. Elliott served as the Council’s Vice Chair. Ms. Nolan’s long history with the Mid-Atlantic Council includes 7 years of involvement as a tilefish advisor prior to her first appointment to the Council in 2000. She served the maximum of three three-year terms from 2000 to 2009. In 2011 she was reappointed and served for

another three terms. Mr. Heins first joined the Council in 2006 as the designated state official from New York and served for 11 years in this role. Following his retirement from the New York Department of Environmental Conservation in May 2017, Mr. Heins was appointed to New York's obligatory seat and served for one term.

Executive Order 13921

Staff provided a summary of public comments received on Executive Order 13921 on Promoting American Seafood Competitiveness and Economic Growth. The Executive Order tasks the regional fishery management councils with each developing a prioritized list of recommended actions to reduce burdens on domestic fishing and to increase production within sustainable fisheries. After reviewing public comments, the Council provided some additional feedback on possible topics that could be addressed on the list of recommendations. The Executive Committee is expected to meet by webinar to review a draft list for consideration by the full Council at the October meeting.

Other Business

SSC Report

Dr. Paul Rago, SSC Chair, presented a summary of the July 22-23 SSC Meeting. In addition to the ABC recommendations described in previous sections, the SSC also considered the role of economists and social scientists in the work of the SSC. Dr. Rago noted that there are a number of areas where economic and social sciences could contribute, such as increasing focus on ecosystem considerations, tradeoffs among user groups, and upcoming challenges of offshore energy development. In view of the recent increase in the number of social scientists on the SSC, a working group was proposed to better define the role of economists in the process of setting ABCs. The Council expressed support for this recommendation and also asked the working group to consider other opportunities to increase the socioeconomic input from the SSC in Council activities. The working group will scope out these topics which will be discussed further during the joint Council-SSC meeting in October.

Scallop Limited Access Leasing Program Request

The Council agreed to send a letter to the New England Fishery Management Council (NEFMC) requesting that the development of an amendment to address leasing in the full-time limited access sea scallop fishery be prioritized for 2021. This issue was raised in a letter from the Scallopers Campaign which noted that the sea scallop fishery is among the Mid-Atlantic's highest revenue fisheries and that 70% of limited access vessels support initiating the process to develop a leasing program.

Observer Program Letter

The Council discussed concerns about the planned redeployment of observers and at-sea monitors on August 14 for vessels with Greater Atlantic Region fishing permits. The Council previously addressed this issue in June and submitted a letter to the Greater Atlantic Regional Fisheries Office (GARFO) and Northeast Fisheries Science Center (NEFSC) about its concerns. The observer waiver was subsequently extended until August 14. During the Council's discussion on August 13, members of the Council and public participants noted continued concerns about the high risk of transmission of COVID-19 on fishing vessels. Several members of the fishing industry also raised concerns about liability. The Council tasked staff with writing a second letter, which was sent on August 13 and is available at <https://www.mafmc.org/correspondence>. The Council also directed staff to work with GARFO and NEFSC to begin analysis of the science and management impacts of this waiver extension.

Next Meeting

The next meeting of the full Council will be held via webinar on **October 6-8, 2020**. A complete list of upcoming meetings can be found at <https://www.mafmc.org/council-events>.