



August 2021 Council Meeting Summary

August 9-12, 2021

Webinar

The following summary highlights actions taken and issues considered at the Mid-Atlantic Fishery Management Council's August 2021 meeting. 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-2021>.

During this meeting, the Council:

- Set 2022-2023 specifications for summer flounder, scup, black sea bass, and bluefish*
- Reviewed and approved management objectives and strategies to be evaluated and analyzed as part of the EAFM summer flounder management strategy evaluation*
- Reviewed and approved additional proposed allocation alternatives for the Summer Flounder, Scup, and Black Sea Bass Commercial/Recreational Allocation Amendment*
- Discussed a draft range of draft alternatives for further development through a Recreational Harvest Control Rule Framework/ Addendum*
- Requested that NOAA Fisheries take emergency action to reduce potential Atlantic mackerel harvest in 2021 and early 2022 via a reduction in the commercial quota
- Reviewed a range of alternatives for a revised Atlantic mackerel rebuilding plan and requested additional analysis and alternatives.
- Approved the Tilefish Multi-Year Specifications Framework, including 2022-2024 golden tilefish specifications
- Met jointly with its Scientific and Statistical Committee to discuss current issues
- Received an update on activities related to the development of measures to reduce mortalities and injuries of North Atlantic Right Whales in Atlantic trap/pot and gillnet fisheries
- Received a briefing on a preliminary White House report titled "Conserving and Restoring America the Beautiful"
- Bid farewell to departing Council members Tony DiLernia and Peter deFur
- Swore in new Council members Skip Feller and Tom Schlichter and reappointed members Adam Nowalsky and Sara Winslow
- Reelected Council Chair Mike Luisi and Vice-Chair Wes Townsend

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

Summer Flounder, Scup, Black Sea Bass, and Bluefish Specifications

The Council met jointly with the Atlantic States Marine Fisheries Commission's (ASMFC) Summer Flounder, Scup, and Black Sea Bass Management Board (Board) and Bluefish Board to adopt 2022-2023 specifications for all four species. The Council and Boards reviewed the results of the June 2021 management track stock assessments for the four species, which incorporated fishery catch and fishery-independent survey data through 2019. They also considered recommendations from the Scientific and Statistical Committee (SSC), Monitoring Committees, and Advisory Panels and comments from members of the public.

The table below summarizes commercial quotas and recreational harvest limits (RHL) for all four species (2021 values are provided for comparison purposes). The Council will forward its recommendations to NOAA Fisheries for final approval. See the sections below the table for additional details about the recommendations for each species.

	Commercial Quota <i>millions of pounds</i>			Recreational Harvest Limit <i>millions of pounds</i>		
	2021	2022	2023	2021	2022	2023
Summer Flounder	12.49	15.53	15.53	8.32	10.36	10.36
Scup	20.50	20.38	17.87	6.07	6.08	5.41
Black Sea Bass	6.09	6.47	5.71	6.34	6.74	5.95
Bluefish	2.77	3.54	4.29	8.34	13.89	22.14

Summer Flounder 2022-2023 Specifications

The 2021 summer flounder management track stock assessment concluded that the summer flounder stock was not overfished and overfishing was not occurring in 2019. Spawning stock biomass was estimated to be about 86% of the biomass target. The 2018 year class was above average at an estimated 61 million fish, the largest recruitment estimate since 2009, while the 2019 year class is below average at 49 million fish.

The Council and Board considered two approaches for setting the Acceptable Biological Catch (ABC) for summer flounder – a “varying” approach, which would set the ABC higher in 2022 and lower in 2023, and a “constant” approach, which would produce an average ABC for both years. The Council and Board reviewed SSC recommendations using both approaches and ultimately selected the constant approach, approving an ABC of 33.12 million pounds for 2022 and 2023. After accounting for expected discards, this results in a commercial quota of 15.53 million pounds and an RHL of 10.36 million pounds for both years. These landings limits represent a 24% increase in the commercial quota and a 25% increase in the RHL compared to 2021.

Scup 2022-2023 Specifications

The 2021 scup management track stock assessment concluded that the scup stock was not overfished and overfishing was not occurring in 2019. Spawning stock biomass was estimated to be about 2 times the biomass target. The assessment indicated that the stock experienced very high recruitment in 2015 and below-average recruitment during 2016-2019.

For 2022, the Council and Board approved an ABC of 32.11 million pounds. After accounting for expected discards, this ABC results in a commercial quota of 20.38 million pounds and an RHL of 6.08 million pounds. Compared to 2021, these landings limits represent a slight decrease in the commercial quota and a minor increase in the RHL. For 2023, the Council and Board approved an ABC of 29.67 million pounds, resulting in a commercial quota of 17.87 million pounds and an RHL of 5.41 million pounds.

The Council and Board also reviewed Monitoring Committee and Advisory Panel discussions regarding an industry proposal to increase or eliminate the possession limit during the winter I quota period and decrease the minimum size from 9 inches to 8 inches in total length. The Council and Board agreed with the recommendation of the Monitoring Committee and the majority of advisors that no changes to commercial measures are warranted at this time.

Black Sea Bass 2022-2023 Specifications

The 2021 management track stock assessment concluded that the black sea bass stock was not overfished and overfishing was not occurring in 2019. Spawning stock biomass was estimated to be about 2.1 times the biomass target in 2019, and the fishing mortality rate was 15% below the threshold level defining an overfished condition.

For 2022, the Council and Board approved an ABC of 18.86 million pounds. After accounting for expected discards, this ABC results in a commercial quota of 6.47 million pounds and an RHL of 6.74 million pounds. These landings limits represent a 6% increase compared to 2021. For 2023, the Council and Board approved an ABC of 16.66 million pounds, resulting in a 2023 commercial quota of 5.71 million pounds and an RHL of 5.95 million pounds.

Bluefish 2022-2023 Specifications

The 2021 bluefish management track assessment concluded that bluefish spawning stock biomass was still overfished, but overfishing was not occurring in 2019. For 2022, the Council and Bluefish Board adopted an ABC of 25.26 million pounds. After accounting for the rebuilding projections, management uncertainty, expected dead releases, and 2022 accountability measures (due to the 3.65 million pound overage in 2020), this ABC translates to a commercial quota of 3.54 million pounds and an RHL of 13.89 million pounds. Compared to 2021, this represents a 28% increase in the commercial quota and a 67% increase in the RHL. For 2023, the Council and Board adopted an ABC of 30.62 million pounds. This translates to a commercial quota of 4.29 million pounds and an RHL of 22.14 million pounds.

Historically, a portion of the total allowable landings above the expected recreational harvest have been transferred from the recreational fishery to the commercial fishery. However, because the stock is currently overfished and the recreational and commercial sectors are both anticipated to fully harvest their limits, the Council and Bluefish Board did not authorize any quota transfers.

During their deliberations, the Council and Bluefish Board discussed whether to adjust catch limits to account for management uncertainty. Although there are substantial sources of uncertainty in the bluefish fishery, the Council and Bluefish Board ultimately recommended no adjustments for management uncertainty. Staff noted that the 2022 research track stock assessment will include a thorough review of several areas of uncertainty, including recreational and commercial discards. The Council and Bluefish Board endorsed the Monitoring Committee's recommendation to develop a structured process to quantify management uncertainty through evaluation of the performance of predicted versus observed dead releases.

Ecosystem Approach to Fisheries Management (EAFM) Summer Flounder Management Strategy Evaluation

The Council and Summer Flounder, Scup, and Black Sea Bass Board reviewed and approved management objectives and strategies to be evaluated and analyzed as part of the EAFM summer flounder management strategy evaluation (MSE). The MSE will evaluate the biological and economic performance and trade-offs of management alternatives to minimize discards (live and dead) in the recreational summer flounder fishery. The primary focus of the discussion was to consider the extensive stakeholder and public input received, including from a core stakeholder group, regarding the project goals, management objectives, and potential alternatives and strategies that could be considered for implementation. Based on the stakeholder input, the Council and Board approved five different management objectives and 14 different alternative categories concerning angler experience as well as biological, economic, and social sustainability. The Council and Board will review interim analysis and results in December 2021. Final results for potential management action are anticipated in late spring of 2022.

For more information, visit <https://www.mafmc.org/actions/summer-flounder-mse>.

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

The Council and Summer Flounder, Scup, and Black Sea Bass Management Board also reviewed additional proposed allocation alternatives for the Summer Flounder, Scup, and Black Sea Bass Commercial/Recreational Allocation Amendment. Four Council and Board members proposed four new allocation alternatives for each species. Their proposal responded to concerns raised over equity and fairness during the amendment's public comment process. Some stakeholders had voiced concerns over existing allocation alternatives essentially reward recreational overages, as they are based on years when the recreational sector's landings exceeded the RHL. The first set of newly proposed alternatives use 2004-2018 catch and landings data while excluding years with RHL overages. The second set of alternatives is a 50/50 weighting of the 2004-2018 base years with RHL overage years excluded and the historical base years upon which the current allocations are based. Staff presented an analysis demonstrating that the impacts of these new alternatives fall within the range of the existing alternatives already under consideration. The Council and Board approved these alternatives for inclusion in the final range of alternatives. The Council and Board are scheduled to meet jointly in in December 2021 to consider final action on the amendment.

For more information, visit <https://www.mafmc.org/actions/sfsbsb-allocation-amendment>.

Recreational Harvest Control Rule Framework/Addendum

The Council and the ASMFC Interstate Fishery Management Program Policy Board (Policy Board) reviewed a range of draft alternatives for further development through a Recreational Harvest Control Rule Framework/Addendum. The overarching goal of the Harvest Control Rule is to rely less on expected fishery performance compared to a catch or harvest limit and to establish a more holistic approach for recreational fisheries management with a greater emphasis on stock status indicators and trends. The alternatives consider changes to the methodology used to set recreational possession limits, fish size restrictions, and open/closed seasons for summer flounder, scup, black sea bass, and bluefish. The Council and Policy Board agreed that the full range of draft alternatives presented should be further developed. They also expressed a desire to use a Harvest Control Rule approach when setting recreational management measures for 2022 but acknowledged that this timeline is very ambitious. Throughout the fall, the Fishery Management Action Team/Plan Development Team will continue to develop the alternatives and plan public workshops to gather input from stakeholders.

For more information, visit <https://www.mafmc.org/actions/recreational-reform-initiative>.

Atlantic Mackerel Issues

In 2018 the Atlantic mackerel stock was declared overfished based on the results of the 2017 benchmark stock assessment. The assessment concluded that the stock was only 22% of the biomass target and that fishing mortality was at 180% of the overfishing threshold proxy. The Council subsequently developed a rebuilding plan designed to rebuild the stock by 2023. The rebuilding plan was implemented on November 29, 2019.

During this meeting, the Council reviewed the results of a 2021 management track assessment. The assessment found that while trends since 2014 are positive, the stock is only 24% of the biomass rebuilding target, and overfishing has increased slightly. The productivity of the stock appears to have declined. The current estimates and trends indicate that rebuilding is very unlikely by the original target of 2023.

In response to new assessment findings and SSC recommendations, the Council requested that NOAA Fisheries take emergency action to reduce potential mackerel harvest in 2021 and early 2022 via a 54% reduction in the commercial quota. The Council will also modify plans for mackerel rebuilding and requested additional analysis and guidance from the SSC about approaches that would have 50%-75% probabilities of rebuilding mackerel in 10 years. The Council requested inclusion of several additional management measures, including a 3-inch

minimum codend mesh requirement for directed mackerel trawl fishing, a 10-inch minimum size for recreational fishing, and a 129 metric ton minimum floor for the mackerel fishery’s river herring and shad cap.

Tilefish Multi-year Specifications Framework and 2022-2024 Specifications

The Council selected preferred alternatives and approved the Tilefish Multi-year Specifications Framework for submission to the Secretary of Commerce for approval. This framework proposes minor process related modifications to the golden tilefish management system that will improve the administration of the golden tilefish management system. More specifically, the framework will set the golden tilefish fishing year as the 12-month period beginning with January 1, annually. Therefore, the fishing year will be from January 1 – December 31 (compared to the current November 1 – October 31 fishing year). The framework will also modify the annual specifications process, so that specifications (e.g., catch and landings limits and other management measures) could be set for the maximum number of years needed to be consistent with the NRCC approved stock assessment schedule. Lastly, the framework will also set catch and landings limits for the 2022, 2023, and 2024 fishing years. After considering recommendations from its Scientific and Statistical (SSC) committee, Tilefish Monitoring Committee, Tilefish Advisory Panel, and members of the public, the Council recommended specifications (catch and landings limits) summarized in the table below. The Council did not recommend any changes to the current recreational bag limit or commercial/incidental trip limit.

Summary of Golden Tilefish Specifications for 2022, 2022, and 2024	
Acceptable Biological Catch (ABC)	1,964,319 pounds
Commercial Quota – IFQ Fishery	1,763,478 pounds
Incidental Quota	75,410 pounds
Incidental Trip Limit	500 pounds (227 kg) or 50 percent, by weight, of all fish, including the golden tilefish, on board the vessel, whichever is less
Recreational Bag Limit	8-fish recreational bag-size limit per angler per trip

Joint Council-SSC meeting

For the third consecutive year, the Council met jointly with its SSC to discuss current issues and provide input and direction on potential future Council and SSC priorities. Three topics were discussed in detail: (1) current work and potential future engagement of the SSC Economic Work Group, (2) potential ecosystem science advancements by the SSC and management application, and (3) science and policy considerations for stocks under a rebuilding plan.

Other Business

North Atlantic Right Whales

In 2021, the Atlantic Large Whale Take Reduction Team (ALWTRT) will be asked to recommend risk reduction measures for other Atlantic trap/pot and gillnet fisheries along the entire east coast. This spring and summer the ALWTRT has worked to develop and expand the Decision Support Tool to cover all trap/pot and gillnet fisheries in ALWTRP waters. Public scoping meetings are anticipated to occur in September and October, including presentations to the Councils and the Commission. Depending on the proposed measures, this could impact Council managed fisheries for monkfish, spiny dogfish, black sea bass, bluefish, and scup, due to their use of pot/trap or gillnet gear. The Council discussed ways they could engage with the scoping process beyond the Council meeting and noted that the Protected Resources Committee could meet to discuss the proposed measures.

Conserving and Restoring America the Beautiful

The Council received a briefing from Mr. Sam Rauch (NOAA Fisheries) on a preliminary White House report titled “Conserving and Restoring America the Beautiful.” Released on May 6, this report outlines the key principles

that will guide a decade-long challenge to pursue a locally led and voluntary, nationwide effort to conserve, connect, and restore the lands, waters, and wildlife upon which we all depend. The report provides recommendations on how the United States should achieve the goal of conserving at least 30 percent of our lands and waters by 2030, as directed by President Biden's Executive Order on Tackling the Climate Crisis at Home and Abroad. In the upcoming months, federal agencies will engage tribes, States, territories, stakeholders, and the American public to gather additional input on this initiative.

Departing Council Members

The Council bid farewell to departing Council members Tony DiLernia (New York) and Peter deFur (Virginia). Captain DiLernia served on the Council for three consecutive terms and was ineligible for reappointment. He had previously served from 1991 to 2002, including five years as vice-chair. During his recent appointment to the Council, Capt. DiLernia served for four years as chair of the Law Enforcement Committee, two years as chair of the Summer Flounder, Scup, and Black Sea Bass Committee, and six years as liaison to the South Atlantic Fishery Management Council. Mr. deFur departed the Council following two consecutive terms. He had also previously served on the Council for one term from 2009-2012. During his recent appointment Mr. deFur served for five years as chair of the Surfclam and Ocean Quahog Committee and one year as chair of the Ecosystem and Ocean Planning Committee. He also served as liaison to several New England Fishery Management Council Committees. Both departing members were thanked for their years of dedicated service to the Council.

Swearing in of New and Reappointed Council Members

Newly appointed Council members Skip Feller and Tom Schlichter were sworn in to begin three-year terms on the Council. Captain Feller, a charter captain operating out of Rudee Inlet in Virginia Beach, will hold Virginia's obligatory seat. Mr. Schlichter is an outdoor writer from Southold, New York and will hold an at-large seat. Also sworn in were Adam Nowalsky (New Jersey) and Sara Winslow (North Carolina), both of whom were reappointed for a third term on the Council. Mr. Nowalsky holds New Jersey's obligatory seat and Ms. Winslow holds an at-large seat.

Election of Officers

During the yearly election of officers, the Council re-elected Mike Luisi as Chairman and 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 Delaware and has extensive experience with commercial fishing in state and federal waters.

Next Council Meeting

The next Council meeting will be held October 5-7, 2021. We are monitoring the situation with COVID-19 and will make an announcement in the coming weeks about whether the meeting will be conducted virtually or with a hybrid virtual/in-person format. Please check the website for updates.