



Mid-Atlantic Fishery Management Council
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Michael P. Luisi, Chairman | P. Weston Townsend, Vice Chairman
Christopher M. Moore, Ph.D., Executive Director

MEMORANDUM

DATE: July 28, 2021

TO: Chris Moore, Executive Director

FROM: Karson Coutre, Julia Beaty, and Kiley Dancy, Staff

SUBJECT: Additional Proposals for Summer Flounder, Scup, and Black Sea Bass Commercial/Recreational Allocation Amendment Alternatives

During the April 2021 joint meeting, the Council and Board voted to postpone final action on the Summer Flounder, Scup, and Black Sea Bass Commercial/Recreational Allocation Amendment until December 2021 to allow for further development of the Recreational Reform Initiative. The groups also agreed to consider proposals for additional commercial/recreational allocation alternatives from Council and Board members at their joint meeting in August 2021. Both bodies agreed that any additional proposals should be within the existing range of alternatives in the document to avoid further delaying final action. Proposals were required to include a description of the basis for the alternative, including whether the proposed percentages allocate catch or landings between the two sectors.

A group of Council and Board members submitted a proposal with two sets of additional allocation alternatives for each species (four additional alternatives for each species). The first proposed alternative set uses 2004-2018 base years with RHL overage years excluded and the second alternative set uses 50/50 weighting of the historical base years and recent base years with RHL overage years excluded. Both alternative sets provide catch and landings-based options for all three species. Rationale and percentage comparisons are outlined in the proposal behind this tab.

Staff have reviewed the proposed additional alternatives and have preliminarily determined that they are within the existing range, based on comparing the resulting example quotas and RHLs for each option. Example quotas and RHLs for the new proposed alternatives follow the same methodology used to develop example limits for the other options in the public hearing document.¹ Comparison to the current range of alternatives is done using these example limits as opposed to the percentages themselves because as described in the public hearing document,

¹ See Appendix C starting on page 61 of the public hearing document: https://www.mafmc.org/s/SFSBSB-Alloc-Am-PHD_Jan2021.pdf.

catch-based and landings-based percentages are not directly comparable due to different methods of handling dead discards.

The Council and Board should determine whether these proposed alternatives should be included in the range of options for consideration during final action at the joint meeting in December 2021.

For the Council and Board’s quick reference, the existing range of alternatives for each species, along with associated example quotas and RHLs, are copied below from Tables 5-7 in Section 4.2 of the public hearing document.

Table 1: Example summer flounder commercial quotas and RHLs for each allocation alternative under the 2020 ABC (25.03 million pounds) and the assumptions outlined in Appendix C, with comparison to the 2020 implemented limits. Actual future limits will vary based on future ABCs and discard assumptions.

Alternative	1a-1	1a-2	1a-3	1a-4 ^a	1a-5	1a-6	1a-7
	Catch-Based			Landings-Based			
Com. allocation	44%	43%	40%	60%	55%	45%	41%
Rec. allocation	56%	57%	60%	40%	45%	55%	59%
Example commercial quota	8.79	8.57	7.92	11.53^b	10.20	8.38	7.65
% Difference from 2020 commercial quota	-24%	-26%	-31%	0%	-12%	-27%	-34%
Example RHL	10.24	10.47	11.15	7.69^b	8.34	10.25	11.02
% Difference from 2020 RHL	33%	36%	45%	0%	8%	33%	43%

^a Alternative 1a-4 is the no action/status quo alternative for summer flounder (i.e., the current commercial/recreational allocations).

^b The actual implemented commercial quota and RHL for 2020 are shown under Alternative 1a-4 (no action/status quo).

Table 2: Example scup commercial quotas and RHLs for each allocation alternative under the 2020 ABC (35.77 million pounds) and the assumptions outlined in Appendix C, with comparison to the 2020 implemented limits. Actual future limits will vary based on future ABCs and discard assumptions.

Alternative	1b-1 ^a	1b-2	1b-3	1b-4	1b-5	1b-6	1b-7
	Catch-Based				Landings-Based		
Com. allocation	78%	65%	61%	59%	57%	56%	50%
Rec. allocation	22%	35%	39%	41%	43%	44%	50%
Example commercial quota	22.23 ^b	16.90	15.92	15.44	16.85	16.56	14.81
% Difference from 2020 commercial quota	0%	-24%	-28%	-31%	-24%	-26%	-33%
Example RHL	6.51 ^b	11.04	12.37	13.04	12.71	13.01	14.81
% Difference from 2020 RHL	0%	70%	90%	100%	95%	100%	127%

^a Alternative 1b-1 is the no action/status quo alternative for scup (i.e., the current commercial/recreational allocations).

^b The actual implemented commercial quota and RHL for 2020 are shown under Alternative 1b-1 (no action/status quo).

Table 3: Example black sea bass commercial quotas and RHLs under each allocation alternative using the 2020 ABC (15.07 million pounds) and the assumptions outlined in Appendix C, with comparison to the 2020 limits. Actual future limits will vary based on future ABCs and discard assumptions.

Alternative	1c-1	1c-2	1c-3	1c-4 ^a	1c-5	1c-6	1c-7
	Catch-Based			Landings-Based			
Com. allocation	32%	28%	24%	49%	45%	29%	22%
Rec. allocation	68%	72%	76%	51%	55%	71%	78%
Example commercial quota	3.31	2.99	2.66	5.58 ^b	5.04	3.38	2.61
% Difference from 2020 commercial quota	-41%	-46%	-52%	0%	-10%	-39%	-53%
Example RHL	8.16	8.65	9.14	5.81 ^b	6.15	8.28	9.27
% Difference from 2020 RHL	40%	49%	57%	0%	6%	43%	60%

^a Alternative 1c-4 is the no action/status quo alternative for black sea bass (i.e., the current commercial/recreational allocations).

Proposal for Additional Allocation Alternatives Summer Flounder, Scup, and Black Sea Bass Commercial/Recreational Allocation Amendment

June 24, 2021

Submitted by Nichola Meserve (MA Division of Marine Fisheries), Joe Cimino (NJ Fish & Wildlife), Justin Davis (CT Dept of Energy & Enviro Protection), and Chris Batsavage (NC Division of Marine Fisheries)

Overview

During the April 2021 joint meeting, the Council and Board voted to postpone final action on the Summer Flounder, Scup, and Black Sea Bass Commercial/Recreational Allocation Amendment until December 2021 to allow for further development of the Recreational Reform Initiative, while also allowing for additional options within the existing range of alternatives to be submitted for consideration. Herein we provide two sets of additional proposals that seek to provide a more complete set of alternatives in response to public comment on the draft amendment.

Proposed Alternative Set 1: 2004-2018 Base Years with RHL Overage Years Excluded

Recent base years options (the last 5, 10, and/or 15 years through 2018) incorporating the recalibrated MRIP data were included in the draft amendment for all three species in landings and catch. However, as highlighted in the public comment, these options did not recognize the fundamental difference between the quota-managed commercial fisheries and target-managed recreational fisheries, in that only one sector may harvest significantly in excess of its limit which can result in a fairness and equity issue for reallocation based on these data. The objective of this proposal is thus to provide an allocation alternative for each species based on recent years fishery performance that does not reward the recreational fishery for overages of their annual harvest target when the commercial fishery was not allowed to have similar overages of their annual harvest quota from which to benefit.

This approach would remove the years from the time series in which the uncalibrated MRIP coastwide harvest estimate exceeded the RHL¹. The 15-year time series (2004–2018) was selected in order to have sufficient years remaining in the calculations (10 years for summer flounder and scup, and seven years for black sea bass; the 10- and 5-year time series result in only two and one years left in the calculation for black sea bass). This method was applied to both the catch data and landings data (Table 1).

The effect of removing the RHL overage years on the allocations is minor for summer flounder and scup, and more pronounced for black sea bass. For summer flounder, the catch and landings based allocations for 2004–2018 are changed by 1–2 percentage points in favor of the commercial fishery by removing the RHL overage years; for scup, it is 2–3 percentage points in favor of the commercial fishery; and for black sea bass, it is 8–10 percentage points in favor of the commercial fishery.

The catch-based and landings-based options for all three species are within the range of the existing alternatives based on the example commercial quotas and RHLs depicted in the draft amendment. The

¹It is not appropriate to use the calibrated MRIP coastwide harvest estimates for this comparison because the RHLs were based on stock assessments utilizing the uncalibrated MRIP estimates. It also would not be appropriate to cap an exceeding year's harvest at the RHL given the intent to transition to the use of calibrated MRIP data. Hence our approach to remove the year's data from the calculation entirely.

allocation shares are also within the range of existing alternatives for the scup catch-based option and the summer flounder and black sea bass landings-based options.

Proposed Alternative Set 2: 50/50 Weighting of the Historical Base Years and Recent Base Years with RHL Overage Years Excluded

The draft amendment included allocation options based on historical base years (which were largely favored by commercial interests during public comment) and options based on recent base years (which were largely favored by recreational interests during public comment). The objective of this proposal is to add a weighted approach that balances commercial and recreational stakeholder interests in an allocation method that acknowledges both the historical fisheries' dependence and the recent fisheries' performance in a manner that is fair and equitable and uses the recalibrated MRIP data as the best available science. Specifically, the approach gives equal weighting to the historical base years (or reasonably proxy thereof, see below) and the last 15 years excluding those in which the recreational harvest limit was exceeded (as described above), through averaging their resulting allocations.

In order to present this option in both a landings and catch basis, we needed to address that the draft amendment did not include catch-based historic base years allocations for summer flounder and black sea bass due to missing discard information during the species' historic base years. To do so, we adopted the Council staff's recommendation² for summer flounder as an approach to provide a reasonable proxy of catch-based historical base years allocations using the best available data for both summer flounder and black sea bass. That recommendation for summer flounder applied the landings-based historic base years allocation percentages (1a-5: 55% com/45% rec) as a catch-based allocation "to allow for a continued use of the existing base years with a transition to a catch-based allocation approach." For black sea bass, this meant likewise applying the landings-based historical base years allocation percentages (1c-5: 45% com/55% rec) as a catch-based allocation. In support of these being "reasonable proxies" for historical catch-based allocations, we note how the landings-based and catch-based allocation percentages for summer flounder and black sea bass for a particular time series within the draft amendment are generally within a percentage point or two of one another (e.g., the summer flounder 2004-2018 time series results in com/rec allocation percentages of 44/56 catch-based and 45/55 landings-based, indicating that the inclusion of discards in the data does not change the resulting allocation much).

The allocations resulting from this approach are provided in Table 2. It is notable that this approach results in a catch-based black sea bass allocation similar to the 42% com/58% rec recommended by Council staff that was developed through an ad hoc approach meant to balance the tradeoffs for both sectors. The approach herein provides a more transparent and repeatable process that can be applied consistently across the three species.

The catch-based and landings-based options for all three species are within the range of the existing alternatives based on the example commercial quotas and RHLs depicted in the draft amendment. The allocation shares are also within the range of existing alternatives for the scup catch-based option and the summer flounder and black sea bass landings-based options.

Table 3 provides the historical base year allocations (or reasonable proxy thereof) used in the development of this proposed option for reference.

² Memo available at:

https://static1.squarespace.com/static/511cdc7fe4b00307a2628ac6/t/60623c25ccb56c56e8609595/1617050680759/Tab02_SFSBSB-Allocation-Amd_2021-04.pdf

Table 1. Allocation Options Using the 2004–2018 Base Years with RHL Overage Years Excluded

	Landings-based					Catch-based				
	Alternative Label and Basis	Allocation		Example Fishery Limits (mlb)		Alternative Label and Basis	Allocation		Example Fishery Limits (mlb)	
		Com	Rec	CQ	RHL		Com	Rec	CQ	RHL
Summer Flounder	Fluke-1: 2004-2018 Landings Excluding Years with RHL Overages (2006-2008, 2014 & 2016 excluded)	47%	53%	8.75	9.87	Fluke-2: 2004-2018 Catch Excluding Years with RHL Overages (2006-2008, 2014 & 2016 excluded)	45%	55%	9.01	10.02
Scup	Scup-1: 2004-2018 Landings Excluding Years with RHL Overages (2004 & 2007-2010 excluded)	59%	41%	17.43	12.11	Scup-2: 2004-2018 Catch Excluding Years with RHL Overages (2004 & 2007-2010 excluded)	62%	38%	16.17	12.04
Black Sea Bass	Bass-1: 2004-2018 Landings Excluding Years with RHL Overages (2009-2010, 2012-2016 & 2018 excluded)	37%	63%	4.23	7.20	Bass-2: 2004-2018 Catch Excluding Years with RHL Overages (2009-2010, 2012-2016 & 2018 excluded)	36%	64%	3.63	7.68

Table 2. Allocation Options Using a 50/50 Weighting of the Historical Base Years (or Reasonable Proxy Thereof; see Table 3) and 2004–2018 Base Years with RHL Overage Years Excluded (see Table 1)

	Landings-based					Catch-based				
	Alternative Label and Basis	Allocation		Example Fishery Limits (mlb)		Alternative Label and Basis	Allocation		Example Fishery Limits (mlb)	
		Com	Rec	CQ	RHL		Com	Rec	CQ	RHL
Summer Flounder	Fluke-3: Average of Historical Base Years and Modified Recent Years	51%	49%	9.48	9.10	Fluke-4: Average of Historical Base Years and Modified Recent Years	50%	50%	10.11	8.89
Scup	Scup-3: Average of Historical Base Years and Modified Recent Years	58%	42%	17.14	12.41	Scup-4: Average of Historical Base Years and Modified Recent Years	63.5%	36.5%	16.53	11.54
Black Sea Bass	Bass-3: Average of Historical Base Years and Modified Recent Years	41%	59%	4.63	6.67	Bass-4: Average of Historical Base Years and Modified Recent Years	40.5%	59.5%	4.00	7.13

Table 3. Historic Base Years Allocations (or Reasonable Proxy Thereof) Used in Development of Table 2

	Landings-based			Catch-based		
	Basis	Allocation		Basis	Allocation	
		Com	Rec		Com	Rec
Summer Flounder	1981-1989 Landings (1a-5)	55%	45%	1981-1989 Landings (1a-5) Applied as Catch	55%	45%
Scup	1988-1992 Landings (1b-5)	57%	43%	1988-1992 Catch (1b-2)	65%	35%
Black Sea Bass	1983-1992 Landings (1c-5)	45%	55%	1983-1992 Landings (1c-5) Applied as Catch	45%	55%