

June 2020 Council Meeting Report

The following summary highlights actions taken and issues considered at the Mid-Atlantic Fishery Management Council's meeting June 16-18, 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/june-2020>.

During this meeting, the Council:

- Reviewed scoping comments and provided input on draft alternatives for the Black Sea Bass Commercial State Allocation Amendment*
- Received preliminary results of an updated summer flounder commercial/recreational allocation model*
- Provided input on the range of alternatives to be considered in the Summer Flounder, Scup, and Black Sea Bass Commercial/Recreational Allocation Amendment*
- Reviewed a draft outline of topics under consideration through the Recreational Reform Initiative and directed staff to determine which items could be addressed through a framework/addendum and which would require an amendment*
- Revised the range of alternatives to be considered in the Bluefish Allocation and Rebuilding Amendment and directed the Fishery Management Action Team to incorporate alternatives that would allow states to have a minimum default allocation*
- Adopted *Illex* squid specifications for 2021, including an Acceptable Biological Catch of 30,000 metric tons and a quota of 28,644 metric tons, and recommended additional measures to help avoid overages
- Received four presentations on habitat-related updates and activities within the region
- Reviewed a report on commercial landings of unmanaged species from Maine through North Carolina and commercial landings of the species managed through the Council's Unmanaged Forage Omnibus Amendment
- Approved changes to the Overfishing Limit Coefficient of Variation guidance document as recommended by the Scientific and Statistical Committee
- Received an update on planning for a Research Set-Aside Workshop and discussed the feasibility of holding an in-person workshop in the fall
- Directed staff to draft a letter expressing concern about the redeployment of observers and at-sea monitors on fishing vessels beginning July 1 during the ongoing COVID-19 pandemic
- Reviewed several hybrid meeting options and agreed to continue meeting via webinar for the near term to minimize the risk of exposure to COVID-19
- Reviewed Executive Order 13921 on Promoting American Seafood Competitiveness and Economic Growth and briefly discussed next steps for developing a response

** 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 and Bluefish Management Board.*

Black Sea Bass Commercial State Allocation Amendment

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 scoping comments and draft management alternatives for a joint amendment and addendum which will consider changes to the allocations of the black sea bass commercial quota among states. This action will also consider whether these allocations should be added to the Council's fishery management plan (FMP) or if they should remain only in the Commission's FMP. The Council and Board agreed to remove hybrid approaches from further consideration in this action. They

also modified the range of sub-options considered under the trigger approach and added an alternative to consider federal in-season closures when the coastwide quota plus an additional buffer is projected to be reached. The appropriate buffer will be further considered during the next joint meeting. They agreed to continue development of all other management approaches presented. The Council and Board will consider approval of a final range of management alternatives and a draft document for public comment during a joint meeting in August, which would allow public hearings to take place in the fall.

Summer Flounder Commercial/Recreational Allocation Study Model Update

The Council and Board received preliminary results of an updated economic model, developed by Dr. Kurt Schnier (University of California, Merced) and Dr. Rob Hicks (College of William & Mary), to evaluate the allocation of total allowable landings between the commercial and recreational summer flounder fisheries. The model, first developed in 2016, was updated to include revised Marine Recreational Information Program (MRIP) data as well as revised commercial data through 2018. The model evaluates the marginal economic benefits of various allocation levels to the commercial and recreational sectors. A final report on the update is still in development, but preliminary results suggest that changes in allocations between sectors in either direction could potentially be supported due to the large overlap of uncertainty bounds for the marginal willingness to pay for each sector. The model developers found that it is likely, but not statistically significant, that increasing the recreational allocation from the current 40% allocation of landings would increase overall benefits from the fisheries. The Council and Board will consider the final results when developing and analyzing potential summer flounder allocation changes through the Summer Flounder, Scup, and Black Sea Bass Commercial/Recreational Allocation Amendment.

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

The Council and Board reviewed recommendations from the Fishery Management Action Team (FMAT) on the range of alternatives to be considered in the Summer Flounder, Scup, and Black Sea Bass Commercial/Recreational Allocation Amendment. This amendment will review and potentially modify the allocations of total allowable catch or landings between the commercial and recreational sectors for summer flounder, scup, and black sea bass. The Council and Board agreed to move forward with the FMAT's recommendation for a refined range of management alternatives. Approaches retained for further consideration include:

- Updating existing base years with revised data
- Options for revised base years
- An alternative that aims to maintain approximately status quo harvest by sector from 2018-2019 under the current ABCs
- Approaches with different allocations above and below a specified trigger
- Options for averaging several different allocation options
- Recreational sector separation between the for-hire and private/shore recreational modes
- Allocation transfers
- Options for future allocation changes to be made through a framework or addendum process.

The Council and Board expect to approve a final range of alternatives during a joint meeting in August. Additional information regarding the amendment process and timeline is available at:

<https://www.mafmc.org/actions/sfsbsb-allocation-amendment>.

The Council and Board agreed that three of the issues removed from this amendment warrant further consideration through a separate process. These items are briefly described below.

- **"Harvest control rule" based approaches:** This conceptual approach was submitted by six recreational organizations during the scoping process. After reviewing a number of concerns raised by the FMAT, including possible inconsistency with Magnuson-Stevens Act requirements as currently configured, the Council and Board agreed that the concepts in this proposal would be more appropriate to explore through a separate action such as the Recreational Reform Initiative (see the following section).
- **Recreational accountability alternatives:** The Council and Board agreed that recreational accountability could be addressed within the other management alternatives being considered and that major changes to the system of accountability measures are beyond current scope of this action.
- **Recreational catch accounting alternatives:** The Council and Board agreed that this is an important issue, especially in terms of reducing uncertainty in the recreational data, but concluded that it falls outside the scope of this allocation action. It was also noted that recreational catch accounting may be more appropriate to pursue for all recreationally managed species, including those under other FMPs, outside of this amendment.

After discussing how to best address these issues, the Council and Board agreed to consider initiating a joint action by the end of 2020 to consider recreational accountability and catch accounting. As described below, some of these topics may be addressed through a management action associated with the Recreational Reform Initiative.

Recreational Reform Initiative

The Council and Board reviewed a draft outline of topics under consideration through the Recreational Reform Initiative. This initiative addresses summer flounder, scup, black sea bass, and bluefish, all of which are managed jointly by the Council and Commission. After considering the topics currently under consideration in this initiative, as well as items removed from further consideration through the Summer Flounder, Scup, and Black Sea Bass Commercial/Recreational Allocation Amendment (see above), the Council and Board tasked staff with determining which items could be addressed through a joint framework/addendum and which changes would require an amendment. The Council and Board plan to further consider all potential recreational management approaches discussed through this action to date and will consider initiating a joint management action to address priority topics before the end of 2020.

Bluefish Allocation and Rebuilding Amendment

The Council met jointly with the ASMFC's Bluefish Management Board to review recommendations from the FMAT on the range of alternatives to be considered in the Bluefish Allocation and Rebuilding Amendment. The Council and Board voted to remove several alternatives which would use the Northeast Fishery Science Center's recreational discard estimation method for developing allocations. The Council and Board also requested that the FMAT include a new set of alternatives to explore the ability for states to have a minimum default allocation. The following issues will continue to be further developed and will be presented to the Council and Board at a joint meeting in August:

- Fishery management plan goals and objectives
- Recreational/commercial sector allocations
- Commercial allocations to the states (including minimum default allocations)
- Regional commercial quotas
- Commercial state-to-state quota transfers
- Recreational/commercial sector transfers
- Rebuilding plan
- Sector specific management uncertainty
- Recreational sector separation between the for-hire and private/shore recreational modes

- *De minimis* provision to relieve states from having to adopt fishery regulations

The Council and Board expect to approve a final range of alternatives at the joint December meeting, with the goal of submitting the final environmental assessment to NOAA fisheries by September 2021 (which is within the rebuilding timeline). For more detailed information regarding the amendment process and timeline visit <https://www.mafmc.org/actions/bluefish-allocation-amendment>.

Illex 2020-2021 Specifications

The Council adopted 2021 *Illex* squid specifications of a 30,000 MT (66.1 million pounds) Acceptable Biological Catch (ABC) and a 28,644 MT (63.1 million pounds) quota (the lower quota accounts for discards). This represents a 15% increase. The Council also adopted a 48-hour *Illex* reporting requirement for dealers after July 15 until a directed fishery closure, and a lowered directed fishery closure threshold of 94%, both to help avoid overages in 2021. The Council also requested NOAA Fisheries use its in-season adjustment authority to raise the 2020 quota in the same manner and will request that dealers voluntarily report 2020 *Illex* landings within 48-hours. Improved projection approaches by NOAA Fisheries will also help avoid overages in 2020 and 2021.

Update on Habitat Activities

The Council received presentations on two projects occurring within the region that support work related to the Council's habitat and ecosystem priorities as identified in its Strategic Plan. Victoria Kentner (NOAA Fisheries Northeast Fisheries Science Center) and Chris Haak (NOAA Fisheries NEFSC/Monmouth University) presented on the Northeast Regional Habitat Assessment and Emily Farr (NOAA Fisheries) presented on the recently completed Northeast Habitat Climate Vulnerability Assessment. In addition, NOAA Fisheries Habitat Conservation Division Staff (Karen Green and Sue Tuxbury) provided the Council with a bi-annual update on projects of interest occurring in the Northeast region. This update included topics such as the status of offshore wind development projects, oil and gas exploratory surveys, and noted the new Presidential Executive Order as it relates to aquaculture. Finally, the Executive Director of the Responsible Offshore Science Alliance, Lyndie Hice-Dunton, provided the Council with an update on their work to date.

Unmanaged Landings Update

The Council reviewed a report on commercial landings from Maine through North Carolina of species that are not managed at the state or federal level, as well as commercial landings of the species managed through the Council's Unmanaged Forage Omnibus Amendment as Ecosystem Components. The goal of this report is to look for signs of developing unmanaged commercial fisheries in the northeast region. The Council agreed that this report did not show any noteworthy increases in unmanaged commercial landings, or landings of Ecosystem Component species, over the past 5 years. They agreed that this report is useful and will continue to receive annual updates of this information.

Committee Reports

SSC Report

Dr. Paul Rago, SSC chair, provided a summary of the SSC's meeting on May 12-13, 2020. Dr. Michael Wilberg, University of Maryland, was elected vice-chair of the SSC and replaces Dr. Tom Miller who served as SSC vice-chair for over 10 years. The SSC also reviewed and made suggested revisions of the Overfishing Limit (OFL) Coefficient of Variation (CV) guidance document that was initially approved by the Council in 2019. This document is used by the SSC when considering scientific uncertainty when making ABC recommendations. The changes made to the document help clarify and provide additional rationale when evaluating nine different decision criteria used to determine the appropriate OFL CV. The Council approved the revised OFL CV guidance document with the suggested revisions from the SSC.

Research Steering Committee

The Council reviewed a summary of the Research Steering Committee's meeting on April 28 to discuss redevelopment of the RSA program and a possible workshop later this fall. Following the committee report, the Council discussed the feasibility of holding an in-person workshop this fall given the continued health risks associated with COVID-19. After some discussion, the Council tasked staff to continue exploring venues and dates that may be able to accommodate an in-person workshop. If an in-person workshop is not feasible this fall due to social distancing protocols, the Council recommended waiting to host the workshop until 2021. A decision on whether to postpone will be made by Council/Committee leadership within the next few months.

Other Business

Redeployment of Observers and At-Sea Monitors on July 1

The Council received an update from the NOAA Fisheries Greater Atlantic Regional Fisheries Office (GARFO) on plans to redeploy observers and at-sea monitors on July 1 for vessels with Greater Atlantic Region fishing permits. Observer requirements have been waived since March 20 due to the COVID-19 pandemic. Council members and members of the public voiced concern that this action will threaten the health of fishing crews as well as observers. It was noted that the risk of transmission is particularly high given the close quarters on most vessels and the transience of observers who travel around the region. The Council tasked staff with writing a letter to communicate these concerns. This letter was sent on June 23 and is available at <https://www.mafmc.org/correspondence>.

2020 Meeting Planning

The Council discussed how and when to resume in-person meetings and considered several options for holding "hybrid" meetings, which could allow a combination of in-person and remote participation. Given the continued public health risk posed by COVID-19, the Council plans to continue meeting via webinar for the near future.

Executive Order on Promoting American Seafood Competitiveness and Economic Growth

Last month, the President signed Executive Order 13921 on Promoting American Seafood Competitiveness and Economic Growth and tasked the regional fishery management councils with developing prioritized lists of recommended actions to reduce burdens on domestic fishing and to increase production within sustainable fisheries. The Council briefly discussed next steps for generating a list of recommendations. Council staff will be circulating feedback forms for Council members and members of the public within the coming weeks.

Next Meeting

The next meeting of the full Council will be held via webinar on **July 16, 2020**. The purpose of this meeting is to take final action on the Mackerel, Squid, Butterfish FMP Goals/Objectives and *Illex* Permits Amendment. Details will be posted at: <https://www.mafmc.org/council-events/2020/july16-council-meeting-webinar>. A complete list of upcoming meetings can be found at <https://www.mafmc.org/council-events>.