



Atlantic States Marine Fisheries Commission & Mid-Atlantic Fishery Management Council Joint Summer Flounder, Scup, and Black Sea Bass Advisory Panel Meeting Summary

April 27, 2021

ASMFC Advisory Panel members in attendance:

- ***Frank Blount** – RI (for hire)
- **Rusty Hudson** – FL (commercial)
- **TJ Karbowski** – CT (for hire)
- **John LaFountain** – RI (commercial)
- **Robert Lorenz** – NC (recreational)

MAFMC Advisory Panel members in attendance:

- ***Frank Blount** – RI (for hire)
- **Captain Victor Hartley III** – NJ (for hire)
- **Michael Pirri** – CT (for hire)

Additional attendees:

- **Chris Batsavage** (MAFMC & ASMFC, NC)
- **Emilie Franke** (ASMFC)
- **Stephen Pearson** (MAFMC)
- **Mike Waive** (American Sportfishing Association)

Staff: **Dustin Colson Leaning** (ASMFC Staff), **Matt Seeley** (MAFMC Staff)

* Indicates member of both Council and Commission APs

Meeting Summary

The Advisory Panels of the Atlantic States Marine Fisheries Commission (Commission) and the Mid-Atlantic Fishery Management Council (Council) met jointly via webinar on April 27, 2021 to review the Bluefish Allocation and Rebuilding Amendment Public Comment Summary and provide recommendations on the alternatives being considered in the amendment.

In February 2021, the Council and the Commission released the Bluefish Allocation and Rebuilding Amendment Public Hearing Document and Draft Amendment to consider: (1) revisions to the fishery management plan (FMP) goals and objectives; (2) modifying the current allocations between the commercial and recreational sectors; (3) modifying the current

commercial allocations to the states; (4) initiation of a rebuilding plan; (5) revisions to the quota transfer process (6) revisions to how the FMP accounts for management uncertainty; and (7) revisions to the *de minimis* provisions in the Commission's FMP. Commission and Council staff hosted 5 public hearings via webinar in March and April to gather public comment on the document. The Board and Council received written and in-person comments from 378 individuals and organizations during the public comment period.

Council and Commission Staff briefly presented on each of the alternative sets under consideration followed by an overview of the range of comments received by the Board and Council. Advisors provided comments of their own on which alternatives they supported from the documents. Advisor comments submitted by email are appended at the end of this summary.

FMP Goals and Objectives

- **John LaFountain:** The current objective 2 is to provide the highest availability of bluefish to U.S. fishermen while maintaining, within limits, traditional uses of bluefish. I feel this objective supports commercial fishing and harvest of bluefish. I'm scared that the proposed objectives are leaning toward managing the fish for abundance to more support the recreational fishery. I'm afraid the recreational advocates want the fish to be managed more like striped bass. If they had it their way all the bluefish would be kept in the ocean to be caught and released based on the comments I have heard at the public meetings. Also, is the proposed objective 1.1 saying in other words: allow the maximum harvest of bluefish while maintaining a sustainable stock biomass? I would like the language to include something about managing to allow the "maximum harvest" or "highest availability" to fisherman as the current objective 2 included.
- **TJ Karbowski:** You can change language as much as you want, but there needs to be something in here that is tied to ecosystem-based management. All the large fish disappeared in 2013 when the bunker left. Promote objective 1.5 to 1.1.
- **Capt. Victor Hartley:** I support separating the different user groups into their own sectors. This should happen in all fisheries. We need sector separation with the for-hire sector having its own allocation.

Sector Allocations

- **Capt. Victor Hartley:** I support 2a-3 and do not believe we need a phase-in.
- **John LaFountain:** 2a-5 considers the most amount of data. I originally preferred status quo; however, I think we should use as much data as possible and thus the longest time series. Also, why are we considering reallocating when we are initiating a rebuilding plan, how is this relevant?
- **TJ Karbowski:** I still support status quo even though it hurts me a little bit. I do not think we need to take money from any of the commercial guys. I also think we will be

throwing out the new Marine Recreational Information Program (MRIP) numbers in a few years. Keeping things status quo will make the whole process much easier.

- **Rusty Hudson:** In Florida, we have had the worst weather the past few years. You have my choices in my letter – Spanish and king mackerel, and bluefish are all farther offshore. We are hoping for sufficient allocation to allow the food producing community to continue operating.
- **Frank Blount:** I do not necessarily discount the form letter, but I like using catch data. Either 2a-2 or 2a-3. The support for those when summed almost matches the other alternatives. I am curious if this support for these alternatives is because catch data is being used or whether the public simply prefers the percentages.

Commercial Allocations to the States

- **Capt. Victor Hartley:** Stay with status quo and use a 0.25% minimum default allocation.
- **Robert Lorenz:** I am a recreational fishermen in North Carolina. The commercial catch is interesting because Hatteras-north has very large bluefish. South of Hatteras, the fish are much smaller. Sometimes the larger ones are available south but farther offshore. These fish are persistently cyclical. For that reason, I believe this fishery will recover on its own. Fishing may not be the biggest influence that causes this cyclical nature. Therefore, I am in favor of keeping things as simple and fair as possible. Use status quo and a 0.25% minimum default allocation. No trigger or phase-in and keep it as simple as you can.
- **John LaFountain:** How often will allocations be reviewed? *Staff responded: allocations will be reviewed at least within every 10 years according to the Council's new policy.* Therefore, go with 3a-2 using the most recent data.
- **Frank Blount:** Any of the alternatives other than status quo. I also support a 0.25% minimum default allocation. I am assuming transfers between states will still occur.
- **Rusty Hudson:** Since the pandemic, MRIP recalibration seems to be inflated. It takes so long to get these numbers with lag in reporting, do we have 2020 data yet? How reliable are these 2020 estimates and what will be incorporated into the 2021 stock assessment? *Staff responded: there was a 3–4-month period during the spring/summer of 2020 where intercepts were halted, and as they were phased back they were still limited. Frequency of intercepts also varied state by state. The 2021 assessment will only use data through 2019.*
- **Mike Waine (member of the public):** What was the terminal year of the 2019 operational assessment? *Staff responded: 2018.*

Rebuilding Plan

- **Capt. Victor Hartley:** We should go with the 7-year rebuilding plan. For Jersey, bluefish is a big part of our business. I do not want folks to experience a reduced bag limit.

- **TJ Karbowski:** Forage fish are a major issue here. Whatever math is being conducted, the MRIP numbers need to be thrown out. For 2019, in Connecticut from shore, over 2000 fish were harvested per day – this is not realistic.
- **John LaFountain:** Have the rebuilding plans already started? *Staff responded: After a rebuilding plan is selected it will be implemented starting in 2022.* I would support 4d to reduce the impact to the commercial quotas.
- **Robert Lorenz:** I support the p* approach. In southeast North Carolina, I hear reports that bluefish are biting in the surf and from their boats. I know a few folks that are very happy with this at the moment.
- **Rusty Hudson:** I support the constant fishing mortality approach 4d. The lion share of fishing mortality is attributed to the recreational sector – my concerns regarding MRIP and intercepts still apply here.

Sector transfers

- **Capt. Victor Hartley:** Go with 5a-2. The comment that transfers should be not allowed is not a good idea. We should use transfers to ensure both sectors do not go over their limits. If one sector needs quota and the other sector has the ability to transfer some, then this should happen. We need to ensure we don't exceed the quotas and also support all sectors.
- **John LaFountain:** When do transfers occur? *Staff responded: transfers for the coming year (2022) are first considered in July 2021 by the Monitoring Committee based on catch and landings projections. The Board and Council then make their decision on the size of the transfer at their annual August 2021 specifications meeting.* I would like to support 5a-2, but it's hard to trust the recreational data. Therefore, I support 5a-1 until recreational catch accounting can be done more accurately.
- **Rusty Hudson:** I support 5a-2 as a tool in the toolbox. If MRIP recalibration explodes the recreational catch, you would not know that until the next year. This would kick in accountability measures. If this was the case, the recreational sector could benefit from transfers to avoid being penalized. Commercially, Florida typically transfers quota to northern states when they need it.
- **Frank Blount:** I agree with 5a-2 because I am interested in having transfers go both ways.
- **Mike Waine (member of the public):** A lot of people supported no transfers. Is that outside of the range of alternatives or can the Council and Board address that? *Staff responded: technically, this is outside of the current range of alternatives, however, this standpoint is helpful information that will be conveyed to the Board and Council for their consideration.*

Management Uncertainty

- **TJ Karbowski:** Where does recreational reform fit into this? *Staff responded: management certainty is already incorporated into management as a tool in the toolbox. One aspect of the recreational reform initiative is looking at how to best use MRIP estimates and the application to management. The uncertainty around MRIP apply to both management tools, but are definitely separate and only management uncertainty is being considered through this amendment. Why is management uncertainty only applied as a reduction to the commercial and recreational landings limits? Shouldn't management uncertainty go both ways? I think it is ridiculous that we know MRIP numbers are overinflated and the only tool we have to address that is to reduce landings limits further. Management uncertainty should also account for inflated MRIP estimates.*
- **John LaFountain:** I am in support of 6b.
- **Capt. Victor Hartley:** If you do a post-sector split, this needs to be really looked at hard. The commercial guys report so well and know what is going on. So do the party boats. I would support 6b because this heads towards a sector separation direction that we prefer.

De Minimis

- **Capt. Victor Hartley:** I would keep this at 7b, which is the least restrictive. This allows states' constituents to have hope moving forward. They already catch so few fish that they should be allowed to have measures that encourage people to go out and fish. If this leads to much more catch, there is still the *de minimis* threshold that will prevent this from occurring the next year.
- **Robert Lorenz:** I support 7c. Things are changing right now with an explosion of recreational boating. In looking into the future, 7c allows states to think about their own management measures and what fits best. They need to look into the potential that species need to be managed on a tighter and tighter basis. Reporting of recreational catch is also becoming more important.

Comments Received by Email

From: PAUL CARUSO [mailto:pkcaruso@comcast.net]

Sent: Tuesday, April 27, 2021 7:53 AM

To: Dustin C. Leaning <DLeaning@asmfc.org>

Cc: nichola.meserve@mass.gov

Subject: [External] Re: Reminder: Bluefish Addendum Comments

Reallocation: I support a more contemporary data set but one that will incorporate some of the prior distribution patterns 1999 to 2018 87/13 split, 2a-3 with a 5-year phase in.



Commercial allocation to states: 2009 to 2018, similar reasons as above 3a-3, phased over 5 year.

I am opposed to state-by-state transfers, fish do not come with quota, local availability can drive catch rates and not indicative of distribution over wider area, this causes conflicts with the recreational fishery and can result in localized depletion.

I support a minimum commercial allocation to states with no allocated quota.

I support a constant catch rebuilding strategy or P^* , for the quickest recovery.

I do not support sector transfers. Leave the unused landings in the water to support robust stocks.

Sincerely, Paul G. Caruso

Massachusetts Recreational Advisor

From: John LaFountain [mailto:foxseafood@gmail.com]

Sent: Monday, May 3, 2021 12:05 PM

To: Dustin C. Leaning <DLeaning@asmfc.org>

Subject: [External] Re: Bluefish AP Summary - please review by 5-5-21

Hi Dustin,

-If you could include some of my written comment about the economic and social impacts. I know you said that is on a separate document. That is fine I just want to make sure that my comment is on that document.

-I think we are missing a chance here to set a federal size limit. In the last 10 years I have purchased fish from North Carolina and Virginia probably every time there is a run of fish. In the last 3-4 years 50% of the time the fish is under 2 lbs and often times under 1 lb. These are not mature sized fish. They do land a lot of 3-4 lb fish as well and I don't have a problem with that. But if they are landing 500,000 lbs a year of fish that don't have a chance to reproduce it's going to be hard to rebuild.

- Every year in the past I purchased bluefish in the spring particularly the month of April. The fish are racing up the coast from down south. We call them "racers" because they are so skinny. The big boats in New Jersey would just crush them catch tons of them and freeze them whole to be sold later. Whether I bought them fresh or frozen in April there was no meat on them and they were full of roe. The large egg masses. Always without exception the spring time April bluefish racers or runners were always caught before they reached where they were headed to lay their eggs. We can't have this happening if we are to rebuild the stock.

I don't know where you can include these comments but I think they need to be seen and thought about in this amendment.