



Mid-Atlantic Fishery Management Council
800 North State Street, Suite 201, Dover, DE 19901
Phone: 302-674-2331 | FAX: 302-674-5399 | www.mafmc.org
Michael P. Luisi, Chairman | G. Warren Elliott, Vice Chairman
Christopher M. Moore, Ph.D., Executive Director

MEMORANDUM

Date: August 2, 2018
To: Council
From: Brandon Muffley, Staff
Subject: 2019 Wave 1 Recreational Black Sea Bass Fishery and Future Direction of a Wave 1 Fishery

Introduction:

In 2017, the Council and the Atlantic States Marine Fisheries Commission's Summer Flounder, Scup and Black Sea Bass Management Board (Board) recommended opening the 2018 wave 1 fishery to all anglers through the regular specification process with the following management measures: a season of February 1 – 28, a 15 fish possession limit and a 12.5 inch minimum size. At the time, these measures were recommended only for 2018 while the details of the Letter of Authorization (LOA) program were developed and considered by the Council and Board for potential implementation in 2019.

At their February 2018 meeting, the Council discussed the future direction and implementation of the recreational wave 1 (January-February) black sea bass fishery in 2019 and beyond. Topics discussed by the Council included the reasons for low participation in the 2018 fishery, the benefits and trade-offs between opening the wave 1 fishery through specifications or an LOA program and the anticipated timeframe needed to implement an LOA program given the potential complexity and administrative demands¹. After a lengthy discussion, the Council passed the following motion:

Move to 1) refer the black sea bass 2020 Wave 1 LOA implementation provisions to Committee; 2) provide for a 2019 Wave 1 fishery under the specifications as implemented in 2018; and 3) prioritize Council staff time to work with the ASMFC on Addendum XXX provisions ahead of the Wave 1 LOA framework. Motion passes unanimously.

This memo provides a review of the February 2018 recreational black sea bass fishery and a comparison to the 2013 wave 1 fishery. It also provides an overview of a possible 2019 wave 1 fishery and the future direction of the wave 1 fishery. This information is provided to help the Council and Board in their deliberations regarding the potential opening of the fishery in 2019 and

¹ For more information, see staff memo from February 2018 Council meeting at: https://static1.squarespace.com/static/511cdc7fe4b00307a2628ac6/t/5a74867053450a6bc94f5b04/1517586033652/TAB03_BSB-2018-Rec-Measures-Feb2018.pdf.

generate feedback to determine the future direction of the recreational wave 1 black sea bass fishery and implementation of an LOA program.

Review of February 2018 fishery:

In addition to the management measures described above, the Council and Board also implemented a specific allocation of 100,000 pounds to this fishery and stipulated that adjustments to management measures in the rest of the recreational season were only required by those states that participated in the February fishery. The Council and Board further stipulated that the 100,000 pounds would be allocated to the states based on their historical (1996-2010 and 2013) proportion of wave 1 black sea bass catch (Table 1). Those states that participated in the February fishery would then make adjustments to their management measures for the rest of the year based on their specified allocation. Of the nine states eligible to participate in the fishery, only the states of Virginia and North Carolina declared their interest and participated in the fishery. In addition to the required management adjustments, Virginia and North Carolina also implemented a variety of monitoring programs, reporting requirements and conducted biological sampling from vessels participating in the fishery.

Table 1. Proportion of recreational wave 1 total black sea bass catch by state from 1996 – 2010 and 2013 and the associated state allocation of the 100,000 pounds allocated to the February 2018 fishery.

State	Proportion of Catch	Allocation of Wave 1 100,000 lb
RI	0.29%	288
CT	0.06%	57
NY	9.41%	9,410
NJ	82.85%	82,850
DE	1.30%	1,297
MD	0.54%	541
VA	5.50%	5,496
NC	0.06%	62
TOTAL	100%	100,000

Updated harvest estimates from the two states indicate between 6,015 and 6,902 pounds of black sea bass were harvested in Virginia, and zero pounds harvested in North Carolina. The range in the Virginia total harvest is due to the limited number of individual weight samples collected; therefore, different data sources were used by Virginia to develop two different average mean weight estimates to apply to the total number of black sea bass harvested. In North Carolina, there were only two known directed trips and MRIP staff reported zero intercepts with black sea bass harvest north of Hatteras. As a result of the Board’s approval of Addendum XXX, which established regional allocations of the 2018 recreational harvest limit based on exploitable biomass and harvest history, the Southern Region allocation (Delaware-North Carolina) was greater than the projected 2018 harvest for the region, even with the inclusion of the 2018 February harvest. Therefore, Virginia and North Carolina did not need to make any adjustments to the rest of their recreational black sea bass season.

Comparison of the February 2018 and the 2013 wave 1 information

The 100,000 pounds allocated to the 2018 February fishery was based on the projected February harvest using data from federal for-hire Vessel Trip Reports (VTR) from 2013 and MRIP harvest estimates by mode. The 2013 VTR data was used to calculate the projected wave 1 harvest by the for-hire sector. MRIP data by mode in waves 2 and 6 over the last 10 years were used to scale the for-hire harvest estimates to the private/rental and shore mode sectors since no information on those sectors is available during wave 1. Based on this analysis, the projected February 2018 harvest assumed 50% of the harvest from party/charter vessels and 50% from private/rental and shore mode.

Since the data used in the original analysis was from the 2013 wave 1 fishery and given concerns raised by Council/Board members about some of the assumptions used in the analysis, a comparison between the 2013 data and the information collected by Virginia from the 2018 fishery was conducted. Information was obtained from submitted federal for-hire VTR reports and from trip reports provided by the Virginia Marine Resources Commission (VMRC) through their reporting system and is summarized in Table 2. There were a total of 62 individual trips taken during the February fishery with 71% of the trips taken by private vessels. Each trip report provided the total number of black sea bass harvested; however, 39% of the reports did not provide the total number of anglers or the total number of black sea bass discarded on the trip. Therefore, total participation and total black sea bass catch could not be determined.

Based on the participation information available, anglers' fishing from for-hire vessels made up the majority (67%) of the total participation. The average number of anglers on a private vessel was three and the average number of anglers on a for-hire vessel was 33. A similar ratio was observed when comparing total black sea bass harvest by sector with for-hire vessels accounting for 64% of the total harvest and private vessels accounting for 36%. In addition, for those trips in which the number of anglers, total harvest and discards was provided, when comparing average catch per angler between the two sectors revealed higher catch rates on for-hire vessels. The average catch per angler on a for-hire vessel was 12.6 black sea bass compared to 10.0 black sea bass caught per angler on private vessels.

When comparing these results to the 2013 wave 1 fishery, the 2018 fishery had a lower average catch per angler (10.4 versus 15.5) and discards comprised a greater portion of the overall catch (24.2% versus 13.7%). These differences are likely driven by the differences in magnitude and spatial distribution between the 2011 and 2015 year classes. However, similar to the results of the 2013 wave 1 fishery, the 2018 fishery does highlight the differences in the wave 1 fishery versus the recreational fishery at other times of the year. As in 2013, the 2018 fishery catch per angler is much higher than it is at other times of the year and has a significantly lower discard ratio.

Table 2. Summary of the Virginia February 2018 recreational black sea bass fishery catch and participation information by sector. Information is based on federal for-hire VTR reports and the Virginia reporting system. Not all trip reports provided all catch and participation information and the * denotes those variables where information is not complete and not representative of all trips taken during the fishery.

Sector	# of Trips	Total Anglers*	Harvest (# of fish)	Discards* (# of fish)	Total Catch* (# of fish)
For-Hire	17	199	1,996	675	2,671
Private	44	96	1,140	334	1,474
Unknown	1		30		30
Total	62	295	3,166	1,009	4,175

2019 Wave 1 Fishery:

The SSC did not change its previous 2019 ABC recommendation of 7.97 million pounds at their July 2018 meeting. The 2019 ABC is approximately 11% lower than the 2018 ABC of 8.94 million pounds. Projections from the 2016 benchmark stock assessment for black sea bass serve as the basis for setting catch and landing limits. The declining ABC from the projections is largely due to the extremely robust 2011 year class beginning to decline in abundance and exit the fishery. The Monitoring Committee then followed their current process for allocating the ABC between landings and discards and between the commercial and recreational sectors. They also set each sector’s ACT equal to the ACL². This results in a 2019 RHL of 3.08 million pounds which is approximately 580,000 pounds lower than the 2018 RHL of 3.66 million pounds, or 16% lower. Depending upon the timing of the black sea bass operational assessment update scheduled for sometime in early 2019, the 2019 specifications and RHL may be adjusted.

Although the analysis of the 2018 wave 1 fishery is limited to one state, the information indicates the 2018 fishery performed similar to the 2013 fishery and the assumptions used in the projections for the 2018 fishery generally held true. The data also indicates that catch and harvest rates remain high compared to other times of the year. In addition, information from the 2018 fishery (i.e. higher discard rate) and from the 2018 NEFSC data update³ indicate the 2015 year class is likely to be above average. This year class will be available to the wave 1 fishery in both the South and North sub-units and, therefore, it is anticipated that high catch and harvest rates would continue in 2019.

At the joint August 2018 meeting, the Council and Board will need to consider and decide on whether to open the 2019 wave 1 fishery through specifications. Due to the Council’s decision to delay consideration of an LOA program until 2020, the LOA program is not an option for consideration to open the fishery in 2019. Therefore, opening the wave 1 fishery in 2019 can only

² For more information on the Monitoring Committee recommendations, please see the July 19, 2018 Monitoring Committee meeting summary at: <http://www.mafmc.org/briefing/august-2018>.

³ Black Sea Bass 2017 Catch and Survey Information for Stock North of Cape Hatteras, NC - Report to the Mid-Atlantic Science and Statistical Committee. Available at: <http://www.mafmc.org/ssc-meetings/2018/july-17-18>

be accomplished through specifications. As mentioned previously, the Council approved a motion to consider opening the 2019 wave 1 fishery as implemented in 2018. This would include the same size, season and possession limits as implemented in 2018 as well as the allocation of 100,000 pounds to wave 1 and then allocated to each state based on historical catch with only those states participating responsible to make management adjustments to the rest of their recreational fishery.

Future direction of a wave 1 fishery:

Throughout 2017, the Council and Board discussed a variety of different options to open a black sea bass wave 1 fishery. In 2018, and possibly for 2019, the wave fishery will open through the regular specifications process. Beyond 2019, the Council and Board need to determine the most appropriate process to open the wave 1 fishery. The Council and Board should consider the overall goals of a wave 1 fishery and the benefits and trade-offs of opening the wave fishery through specification or through the continued development of an LOA program. In addition, under either option, concerns raised by the states for not participating in the 2018 fishery (i.e. allocation, equity, accountability and implications, and overall perceived benefits) would remain simply because implementing a wave 1 fishery requires accountability of the harvest and the trade-offs associated with that harvest.

The Council and Board can continue to open the wave 1 fishery through the regular specifications process utilizing the same general management framework as implemented in 2018 and being considered for 2019. This process is relatively straightforward and would require the least amount of fiscal and staff resources. In addition, states could develop voluntary monitoring and sampling approaches as part of the specification process, similar to those implemented by VA and NC in 2018, in an effort to collect some limited participation, effort, catch and biological information that is currently unavailable.

In previous discussions about a wave 1 fishery, the Council and Board have expressed an interest in developing a comprehensive monitoring and data collection program in order to account for and better understand the implications of a wave 1 fishery. After speaking with GARFO, if this is still the goal of a wave 1 fishery then the continued development and implementation of an LOA program would be necessary to open the wave 1 fishery in the future. While the LOA program currently being considered offers a number of potential benefits such as increased data collection and greater accountability, there will also likely be a significant administrative cost in implementing and monitoring an LOA program. This increased cost includes greater staff and resources, particularly within GARFO, and increased time and effort within the states and recreational community to participate.

Given the concerns raised and associated trade-offs with the different options to open the wave 1 fishery, the Council and Board need to determine what the goals are of a wave 1 fishery and then decide what is the most appropriate approach to open the fishery and achieve those goals. A program that is relatively straightforward, minimizes administrative demands but is limited in monitoring and oversight could be accomplished through the existing specification process. A program that would increase accounting and monitoring capabilities but increases the complexity and administrative costs could be implemented through the LOA program. Concerns were raised at the February meeting regarding the complexity and regulatory requirements the Council was considering with the LOA program. If the Council and Board want to continue with the

development of the LOA program, staff recommend working with GARFO and the Demersal Committee to develop a program with the minimum number of requirements needed to open the fishery with an LOA, even if that requires removing some of the alternatives initially considered. At this meeting, the Council and Board need to provide a clear and committed process to the future implementation of the wave 1 fishery in order to appropriately allocate future meeting and staff resources in order to address this action and other black sea bass priorities.