



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

MEMORANDUM

Date: September 23, 2019
To: Dr. Chris Moore, Executive Director
From: Matthew Seeley, Staff
Subject: Update on the Bluefish Allocation Amendment

Background

The Bluefish Allocation Amendment was last discussed with the Council and Board at the August 2018 Council meeting. At the meeting, Council and Board members reviewed public scoping comments, discussed next steps, and agreed on a number of issues that should be considered in the amendment. Some members of the Council and Commission expressed concern that the revised recreational catch and effort estimates from the Marine Recreational Information Program (MRIP) could have significant implications for the status and management of the bluefish fishery. The Council and Commission considered a proposal to halt amendment development until the completion of the assessment update which incorporates the updated MRIP numbers. Although Council and Commission members were generally in agreement that the amendment should incorporate the results of the operational assessment, some felt that postponing amendment development was unnecessary. After some debate, the Council and Commission decided to continue to work on the amendment but agreed they will not finalize the public hearing document or hold public hearings until after the results of the bluefish operational assessment are available in the fall of 2019.

The results of the bluefish operational assessment indicate that the stock is overfished with overfishing not occurring. Following official Greater Atlantic Regional Fisheries Office notice of the overfished status, the Council will have to initiate a bluefish rebuilding plan within two years. Rebuilding plans are often developed through an Amendment and consideration should be given on whether rebuilding should be incorporated into the Allocation Amendment or developed through its own action.

For a current timeline of events, please reference the Bluefish Action Plan within this tab or on the Council's website: <http://www.mafmc.org/actions/bluefish-allocation-amendment>.

Current Status

Since the operational assessment for bluefish became available in August 2019, the fishery management action team (FMAT) met once to discuss the Council/Board approved issues that are being addressed in the Amendment. The previously agreed upon issues include:

1. FMP Goals and Objectives
2. Commercial and Recreational Allocations
3. Commercial Allocations to the States
4. Quota Transfers
5. Other Issues

Now, the FMAT is in the process of drafting Amendment alternatives for each issue while incorporating the summarized scoping comments. The FMAT plans to convene again this Fall/Winter to further refine the alternatives for presentation to the Council at the December or February Council meeting.

Necessary Action

1. Provide confirmation on the five issues to be analyzed in the Amendment.
2. Provide direction on Issue 5 (other issues).
3. Identify whether additional scoping is necessary post operational assessment.
4. Provide direction on whether rebuilding should be incorporated into the Amendment.



Bluefish Allocation Amendment Draft Action Plan

(Updated as of September 2019 and subject to change)

Amendment Goal

The goal of this amendment is to review and possibly revise the allocation between the commercial and recreational fisheries and the commercial allocations to the states. This action may be needed to avoid overages, achieve optimum yield, prevent overfishing, and reduce the need for quota transfers off the U.S. east coast.

Fishery Management Action Team

The Council will form a team of technical experts, known as a Fishery Management Action Team (FMAT) to develop and analyze management alternatives for this amendment. The FMAT is led by Council staff and includes management partners from the National Marine Fisheries Service (NMFS) Greater Atlantic Regional Fisheries Office (GARFO), the Northeast Fisheries Science Center (NEFSC), the Southeast Fishery Management Council (SAFMC), and the Atlantic States Marine Fisheries Commission (ASMFC). The FMAT will work with other experts to address specific issues, as needed.

FMAT Membership

Name	Role/Expertise	Agency
Matthew Seeley	FMAT Chair	MAFMC
Danielle Palmer	Protected Resources	NMFS GARFO
David Stevenson	Habitat Conservation	NMFS GARFO
Cynthia Ferrio	Sustainable Fisheries	NMFS GARFO
Ashleigh McCord	NEPA	NMFS GARFO
Tony Wood	Population Dynamics	NEFSC
Matthew Cutler	Social Sciences	NEFSC
Kathryn Connelly	Economist	NEFSC
Caitlin Starks	Plan Coordinator	ASMFC
Mike Celestino	Bluefish Technical Committee	NJDFW

Applicable Laws

Magnuson-Stevens Act	Yes
National Environmental Policy Act	Yes – will require an Environmental Assessment or Environmental Impact Statement
Administrative Procedure Act	Yes
Regulatory Flexibility Act	Yes
Paperwork Reduction Act	Possibly; depends on data collection needs
Coastal Zone Management Act	Possibly; depends on effects of the action on the resources of the coastal states in the management unit
Endangered Species Act	Possibly; level of consultation will depend on the actions taken
E.O. 12866 (Regulatory Planning and Review)	Yes
E.O. 12630 (Takings)	Possibly; legal review will confirm
E.O. 13123 (Federalism)	Possibly; legal review will confirm
E.O. 13771 (Reducing Regulation and Controlling)	Possibly; legal review will confirm
Essential Fish Habitat	Possibly
Social Impact Analysis	Possibly
Information Quality Act	Yes

Expected Document

Acronym	NEPA Analysis	Requirements
EA	Environmental Assessment	NEPA applies, no scoping required, public hearings required under MSA
EIS	Environmental Impact Statement	NEPA applies, scoping required, public hearings required

Draft Timeline for Amendment Development and Implementation

Task Description	Date (subject to change)
Initiation and request of FMAT participants	December 2017
Formation of FMAT	January 2018
Initial FMAT discussion	March 2018
ASMFC meeting - review scoping plan and document	May 2018
Scoping hearings/scoping comment period	June-July 2018
Council Meeting - review scoping comments and FMAT, Advisory Panel (AP), and Monitoring Committee recommendations; discuss next steps	August 2018
AP Meeting - review amendment goals and objectives, FMAT recommendations, develop recommendations for alternatives; any amendment issues?	July 2019
FMAT Meeting – review comments and develop draft alternatives	August 2019
Council Meeting – discuss incorporating rebuilding and review the issues to be covered in the Amendment	October 2019
Bluefish Committee Meeting - review comments and develop recommendations for alternatives	November 2019
FMAT Meeting – review comments and develop draft alternatives	December 2019
Refine alternatives for the FMAT	January 2020
FMAT Meeting – Finalize draft alternatives for the February Council Meeting	January 2020
Council Meeting - review (and approve if ready) alternatives for public hearing document	February 2020
Public hearing document and EA/EIS -draft approval	April or June 2020
Public hearings	Summer-Fall 2020
AP Meeting - recommendations for final action	June or July 2020
Bluefish Committee Meeting - recommendations for final action	Summer 2020
Council Meeting - final action	August or October 2020
Submission of draft EA/EIS to GARFO	Fall/Winter 2020
Draft EA/EIS revisions and resubmission	Winter/Spring 2020/2021
Rulemaking (proposed rule)	Spring 2021
Rulemaking (final rule)	Summer/Fall 2021