Summer Flounder, Scup, and Black Sea Bass Fishery Performance Report

June 2020

The Mid-Atlantic Fishery Management Council's (Council's) Summer Flounder, Scup, and Black Sea Bass Advisory Panel (AP) met jointly with the Atlantic States Marine Fisheries Commission's (Commission's) Summer Flounder, Scup, and Black Sea Bass AP on June 29, 2020 to review the Fishery Information Documents and develop the following Fishery Performance Report for the three species. The primary purpose of this report is to contextualize catch histories for the Scientific and Statistical Committee (SSC) by providing information about fishing effort, market trends, environmental changes, and other factors. A series of questions listed below were posed to the AP to generate discussion. Please note: Advisor comments described below are not necessarily consensus or majority statements.

Additional comments provided by advisors via email are attached to this document.

Council Advisory Panel members present: Bonnie Brady (NY), Jeff Deem (VA), Skip Feller (VA), James Fletcher (NC), Carl Forsberg (NY), Robin Scott (NJ), Chris Spies (NY), Joan Berko (NJ)

Commission Advisory Panel members present: Frank Blount (RI), Jack Conway (CT), Greg DiDomenico (NJ), Marc Hoffman (NY), Bill Shillingford (NJ)

Others present: Chris Batsavage (Council/Board member, NC DMF), Julia Beaty (MAFMC Staff), Alan Bianchi (NC DMF), Steve Cannizzo (NY RFHFA), Joe Cimino (Council/Board member, NJ DEP), Dustin Colson Leaning (ASMFC Staff), Karson Coutré (MAFMC Staff), Kiley Dancy (MAFMC Staff), Steve Doctor (MD DNR), Emily Keiley (NMFS GARFO), Caitlin Starks (ASMFC Staff), Corinne Truesdale (RIDEM)

Trigger questions

1. What factors influenced recent catch (markets/economy, environment, regulations, other factors)?
2. Are the current fishery regulations appropriate? How could they be improved?
3. What would you recommend as research priorities?
4. What else is important for the Council to know?

General Comments

One advisor asked if the Council and Commission are violating the recent Presidential Executive Order by forcing fishermen to discard fish that could be used.

Impacts of COVID-19 on Fishing Effort

Multiple advisors described how the for-hire fishery is recovering from recent COVID-19 closures. Even with the current restrictions on the number of people per trip, they are booking many trips and are attempting to make up for lost opportunity earlier in the season. One advisor said the for-hire and bait and tackle industries feel extreme pressure to make up for as much lost business as possible before the fall when demand typically drops off. One advisor said the for-hire industry is also being negatively impacted by decreased availability of fishing equipment due to tackle warehouse shortages.

Advisors reported that commercial markets and ex-vessel prices have been down substantially due in large part to restaurant closures, as described for each species below.

Additional species-specific comments on COVID-19 impacts are described later in this document.

Environmental Conditions

One advisor noted that since additional restrictions have been put on the menhaden fishery, there are more sharks inshore due to an overabundance of menhaden. He believes the increased abundance of sharks may be having an impact on other species, for example by chasing bluefish and striped bass offshore. He questioned what additional impacts sharks are having on managed species such as black sea bass and summer flounder.

Recreational Data Concerns

A few advisors expressed concern with the Marine Recreational Information Program (MRIP) data, which they see as inaccurate and fundamentally flawed.

One advisor stated that MRIP uses an estimated number of anglers in New York that is at least twice the true number. He also stated that MRIP has refused to tell him exactly how many anglers they are estimating for New York. Staff and others clarified that MRIP estimates effort in number of trips and does not use a specific number of anglers to generate catch and harvest estimates.

One advisor requested that the Council implement mandatory private angler reporting via cell phones, specifically using technology associated with the Bluefin Data trip ticket system used by North Carolina. He has spoken with representatives of this company who have said that they could implement such a system for the recreational fisheries. He said if the Council and SSC don't pursue private angler reporting despite the ability to do so, they should produce a statement explaining why they don't want recreational data that is comparable to the commercial data.

Advisory Panel Participation

Advisors had multiple suggestions for how to improve AP participation. Multiple advisors requested that future webinar AP meetings occur in the evenings to increase attendance. One advisor noted that different groups have different needs and although evening webinars may work best for most of the group, some commercial fishermen may find them challenging as they are often up at 3:00 or 4:00 am. A few advisors noted that the weeks before and after July 4th and

Labor Day are some of the worst times to hold AP meetings. One AP member requested more frequent reminders of upcoming meetings.

One member of the public said AP participation may also be low because advisors are frustrated and the Council and Commission should do a better job of listening to and addressing advisor concerns.

Summer Flounder

Market/Economic Conditions

Several advisors said summer flounder has been selling for a much cheaper price than usual. The market is primarily restaurants and demand has been greatly reduced due to COVID-19 and restaurant closures.

One advisor said supermarket demand is mostly for farmed fish. The ex-vessel price for summer flounder has been so low that it has not been worth it for many vessels to go fishing. One advisor reported about $1 per pound recently, compared to the $3-4 coastwide average in recent years, and also noted that New York is more beholden than other states to a fresh fish market.

One advisor noted that medium size summer flounder set the market price. Restaurants can portion the fish; however, the consumer who cooks at home does not want a large fish and this impacts demand at fish markets. He believes it is a problem that imported fish tend to fit the size that consumers want and fisheries like summer flounder are at a disadvantage due to the current minimum size limits. This advisor supported lowering the minimum size below 14 inches to be able to target smaller male fish.

Environmental Conditions and General Fishing Trends

One advisor said commercial fishermen on the north side of Long Island Sound are seeing fewer summer flounder than they have seen in years, and the catch per day is down. One member of the public disagreed with this statement, saying that in his discussions with a for-hire captain who fishes in Long Island Sound, their season has been very good so far for summer flounder due to a warm winter followed by a cold spring, and they are reporting some of the best fishing in years. However, he noted that on the south shore and west end of Long Island, trends have been the opposite, with low catch rates and a slow season that has just started to improve in the last few years.

One advisor stated that fishing in Rhode Island has been slow and some of the worst catch rates they have seen in years.

Another advisor reported that on the eastern shore of Virginia, recreational fishing was slow to get started this year due to a cold spring and the impacts of COVID-19, but effort has been high in recent weeks. He said summer flounder fishing has been good so far, with a higher rate of keepers per throwback than usual.

Management Issues

A few advisors questioned the recreational data from MRIP on summer flounder landings by recreational fishing mode. One questioned the estimate that 10% of summer flounder landings come from shore-based anglers, stating that based on data he has seen, it should be more like 80%.

Another advisor said he believed 10% from shore is too high for the eastern shore of Virginia, but otherwise the proportions by mode seemed approximately correct. Another advisor said it's difficult to believe that three times as many fish are caught from the private and shore modes compared to party/charter, but he also said MRIP is unreliable in general.

One advisor requested consideration by the SSC and Council/Board of a recreational total length limit for summer flounder (i.e., a cumulative length limit where anglers can keep up to a specified total number of inches of fish) with mandatory retention of all fish caught until the length limit is reached.

Scup

Management Issues

One advisor said that in earlier years, any size scup could be landed and larger fish were being left in the population. During this time he said that biomass was at its lowest while recruitment was high. In recent years, biomass is high and recruitment is low because we are removing the spawning adults due to size restrictions. He also felt the mesh size and minimum size for scup should be decreased in the commercial fishery. He said there used to be a market for small scup but due to management, this market has transitioned to imported fish such as tilapia. He also reiterated the need for a cumulative length limit in the recreational fishery to eliminate discards along with cellphone reporting.

One advisor said that in Massachusetts the primary for-hire season for scup is during wave 3, which was partially closed this year due to COVID-19 restrictions. Once for-hire businesses were permitted to reopen, charter vessels were restricted to 8 people to comply with social distancing guidelines. He wanted to know how management was going to address the gap in collection of MRIP intercept data due to COVID-19 and hoped that managers take into account the impacts the pandemic has had on fishing effort, specifically the reduced for-hire effort.

Market/Economic Conditions

One advisor noted that along with the COVID-19 issues that apply to all three species, scup markets started becoming depressed back in January of this year when foreign markets for scup were being impacted by the pandemic. Scup prices got as low as $0.10 per pound when the market collapsed.

Another advisor agreed and added that although they are seeing an abundance of scup, there is no market on the commercial side. On the recreational side, people are catching them and taking them home. He felt that recreational effort was greatly reduced and was concerned about what MRIP would estimate for catch this season given greatly reduced intercept sampling due to COVID-19.

Black Sea Bass

Market Issues

Commercial black sea bass landings through mid-June 2020 are on a very similar trajectory as 2019, despite widespread restaurant closures due to the coronavirus pandemic. One advisor said that although the price of black sea bass decreased from as much as $4-6 per pound to $1.50 per pound due to decreased demand, the price was still higher than many other species (see above).

For this reason, fishermen who continued to fish despite the greatly decreased market demand tended to target black sea bass rather than other species.

Biological Issues

One advisor said most trawl surveys don't sample more than three miles from shore, yet black sea bass have been caught as far as 100 miles from shore in lobster pots. This could result in the stock assessment under-estimating biomass. Council staff clarified that the Northeast Fisheries Science Center trawl surveys operate well beyond 3 miles from shore. He added that black sea bass are so abundant that they are wiping out populations of shellfish such as lobsters and clams. He requested an emergency opening of the recreational fishery and an increase in the commercial quota to help bring down the black sea bass population and take pressure off other stocks.

One advisor said he has heard that 2020 has been a good year so far for commercial and recreational black sea bass fisheries off Virginia. Another advisor said it has been a very good spring for recreational black sea bass fishing off Virginia. He added that the February recreational fishery was phenomenal and September through December were also very good.

Commercial Catch Locations and Distribution of Stock

Advisors discussed the figure in the Fishery Information Document which shows that statistical area 616 had the highest proportion of commercial black sea bass catch in 2019 based on federal VTR data. Multiple advisors agreed that the distribution of black sea bass catch is impacted by fishing effort targeting summer flounder. For example, one advisor said that vessels intending to land summer flounder in North Carolina and Virginia travel to the Hudson Canyon area to target summer flounder. They do not make dedicated black sea bass trips, but catch black sea bass on trips where they are primarily targeting summer flounder. Another advisor added that the distribution of black sea bass catch is also is driven by vessels based in other states in addition to North Carolina and Virginia. Many vessels hold summer flounder permits in multiple states and some of those permits allow an incidental limit of black sea bass. For example, she said New York fishermen have to buy summer flounder permits from multiple states in order to be competitive in the market due to New York's comparatively low allocation of the summer flounder quota.

A few advisors asked if most of the commercial catch in statistical area 616 occurred during the winter. One advisor said most North Carolina summer flounder landings occur during November through February, with an occasional trip in April or May and black sea bass landings may follow a similar pattern. He also noted that the summer flounder trip limits impact black sea bass effort. Subsequent examination of the data revealed that 91% of the catch reported on federal VTRs for statistical area 616 in 2019 occurred during January-April and December. This information was not provided during the AP meeting.

One advisor said the black sea bass stock has expanded both north and south.

Recreational Fishery

One advisor said the MRIP estimates showing much higher black sea bass catch from anglers on private and rental boats compared to party/charter boats are unbelievable.

A few advisors asked why staff referred to the 2016 and 2017 black sea bass recreational harvest estimates as outliers. They also asked why other estimates are not considered outliers and why the outlier estimates have not been replaced by more reasonable estimates. Staff explained that the

Monitoring and Technical Committees agreed that the 2016 and 2017 black sea bass estimates are unbelievably high due to individual state/wave/mode level estimates (i.e., New York in wave 6 2016 for all modes and New Jersey in wave 3 2017 for the private/rental mode only). One advisor said the New York wave 4 estimate for 2015 should also be considered an outlier.

Staff explained that the MRIP estimates are calculated through a national, standardized process; therefore, MRIP staff have said they are unwilling to revise the official estimates unless they detect an error in the calculations, which is not the case for black sea bass. However, the Council and Commission can use modified estimates in the management process. Staff noted that one goal of the ongoing Recreational Reform Initiative is to develop a standardized and statistically robust process that can be used to examine all MRIP estimates for both high and low outliers and adjust those estimates as appropriate.[1] This would make it more likely that adjusted estimates could be used in more parts of the management process. One member of the public said he supported this concept. He added that separate management of the private and for-hire sectors could help address some issues of MRIP uncertainty as the for-hire sector reports their catch through vessel trip reports.

[1] More information on the Recreational Reform Initiative is available at: https://www.mafmc.org/actions/recreational-reform-initiative.

-------- Forwarded Message --------
Subject:TOP 25 DEFINITION OF INSANITY QUOTES | A-Z Quotes
Date: Mon, 29 Jun 2020 11:41:21 -0400
From: James Fletcher <unfa34@gmail.com>
Reply-To:unfa34@gmail.com
To: Beaty, Julia <jbeaty@mafmc.org>

https://www.azquotes.com/quotes/topics/definition-of-insanity.html

PERHPS THE ADVISORS SHOULD READ ! I WOUNDER IF GROUP THINK SCIENCE WILL UNDERSTAND?

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James Fletcher
United National Fisherman's Association
123 Apple Rd.
Manns Harbor, NC 27953
252-473-3287

Kiley Dancy

From: James Fletcher <bamboosavefish@gmail.com>
Sent: Tuesday, June 30, 2020 9:27 AM
To: Muffley, Brandon; Didden, Jason; Moore, Christopher; Kellogg, Chris; Kiley Dancy; Batsavage, Chris
Subject: Eco based fishery management in nut shell commercial & Recreational

NO DISCARDS TOTAL RETENTION! FISHERY MANAGEMENT.

COMMERCIAL: DOLLAR VALUE PER YEAR, BASED ON LENGTH OF VESSEL; MUST LAND & SELL ALL CATCH. COMPLIES WITH EXECUTIVE ORDER.

No market each area would have dehydration plant ! fish meal 80 cent to $2,00 per pound TOTAL RETENTION TOTAL UTILIZATION

RECREATIONAL: TOTAL LENGTH FOR ALL SPECIES; ALL FISH MUST BE RETAINED! BARBLESS HOOKS FOR THOSE FISHING FOR FUN
FISHING FOR FOOD CAN HAVE BARBED HOOKS [TWO TYPES OF LICENSE!] BASED ON FISHING FOR FOOD OR FUN / RECREATION.

MUST HAVE CELL PHONE REPORTING for recreational
BUILT ON BLUE FIN DATA SYSTEM! SAME USED BY N.C. & NMFS! COMPLY WITH EXECUTIVE ORDER.

WHY IS COUNCIL WASTING TIME?

WILL SOME ONE FOR COUNCIL EXPLAIN WHY MREP OR MERPS DATA INSTEAD OF CELL PHONE DATA REPORTING?

WHY WON'T MREP REQUIRE CELL PHONE REPORTING? PLEASE GIVE A COUNCIL / NATIONAL MARINE FISHERIES DEPARTMENT OF COMMERCE EXPLANATION WHY NO CELL PHONE REPORTING *****PLEASE EXPLAIN OFFICIALLY ****!

--
James Fletcher
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Kiley Dancy

From: Vetcraft Sportfishing <vetcraft@aol.com>
Sent: Tuesday, June 30, 2020 1:53 PM
To: Kiley Dancy
Subject: AP comments

I would like to submit the following research opportunities which I think could benefit the management of our fisheries.

1. Numbers of fish vs pounds.....I do not believe that Magnuson has any language that prohibits managing fisheries based on numbers of fish rather than poundage. While the commercial sector is paid based on the poundage of their catch, the recreation sector survival is based on allowable numbers of fish allowed to be retained. Clearly with the present management system, when we manage in pounds and increase the minimum size, we reduce the allowable numbers of fish to be retained. This is very detrimental to the recreational sector as angler satisfaction decreases with declining allowable retention limits. I think we could look back to the time period (1980-1989) and look at the numbers of fish caught in that time frame and regulate the recreational sector accordingly.

2. Commercial and recreational best outcomes.....Again, when we manage in poundage, the outcome may not be as we intend. For example, with the increased millions of pounds given to the commercial sector (based on revised MRIP data and other factors), the corresponding price per pound dropped (even before COVID became a factor). The figures presented in the AP documents clearly show the lack of benefit. With an extra 3 million pounds of quota, the benefit was only 1.5 million dollars with the lower appreciated dockside price. While this factor is not demonstrated in all species and over all historical trends, it is something that should be certainly looked at, perhaps with a consortium of commercial representatives that could best provide feedback on quota changes and profitability.

In the recreational sector, here too we should look at angler satisfaction vs potential outcome for the industry. For example with a historic 8 fish per person limit for fluke, we do not see a proportional decline in participation at a 3 fish per person (in NJ where I fish). Angler satisfaction is really what drives the industry and I would suggest looking at sampling angler participation for guidelines or what parameters would could be implemented that would encourage fishing, but perhaps save stock for future allocation.

In both scenarios, stock could be given to a sector not necessarily used in that given year, but instead preserved for better outcomes in future years.

3. MRIP data.....We continue to struggle with reliable recreational data, which is creating much dissatisfaction voiced by both the rec and commercial sectors. Any system based on memory, or voluntary submission is not likely to prove successful. I would submit that the data is already out there to tell us when people are out fishing. With cell phone tracking systems in place, data is available that can tell how many people are out on the water on any given day. GPS data will provide info on which boats are on known fishing grounds. I would look into recruiting IT folks who are familiar with such data sources and start to formulate a data plan that could really tell us how many people are out fishing.

4. Regional depletions.....We continue to see regional depletions of fluke in New Jersey and elsewhere. By this I mean that even though the stock may be a satisfactory biomass, access to the fishery is quite disparate. Some sections on New Jersey see a reasonable mass of legal fluke whereas some communities see only sparse concentrations. I have long suspected that concentrated fishing for this species can lead to regional depletions. We have historically seen this happen with yellowtail flounder, herring, and Pacific salmon, to name a few.

We have very limited knowledge of the migration pattern of fluke from their offshore spawning grounds back to the inner shelf waters in the spring. By allowing regional concentrated fishing efforts, we now have southern commercial boats having to motor hundreds of miles to the north to catch their quota. Similarly we have regions of New Jersey, Virginia, and Delaware that are seeing an overall depletion in their fluke stocks.

This year so far is interesting in that the fluke fishing has been rather good for the recreational fleet out of New Jersey, mostly caused, I believe by the reduced commercial harvest related to the lack of marketability from the loss of the restaurant demand.

I think we can not manage fluke successfully if we don't fully understand their migration pathway. Tagging studies, although expensive and time consuming, done on the spawning grounds, would help to show us how these fish are

migrating back inshore. Much valuable data could be obtained knowing where these fish return and could help us manage the fishery better to prevent the long haul for the commercial fleet and also even out the inshore fishery for the recreational sector. Oceanic dynamic metrics have not been drastic enough to explain the sparsity of the stock in the southern end of its' range, where it once thrived in abundance.

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From: Katie Almeida
To: Beaty, Julia
Subject: RE: Fishery Performance Report for your review and next AP meeting
Date: Monday, July 6, 2020 3:13:52 PM

Hi Julia,

Here are our answers to the questions that were asked. Sorry for not being able to make it.

Fluke:
1a. prices have been stable, markets available (especially for fluke). Cost of fuel is not a huge factor at this point.
1b. we've been seeing warmer temperatures
1c. an increase of quota will decrease discards

2. N/A
3. More industry based research with industry participation in surveys.

Black sea Bass:

Answers are similar to Fluke

Scup:

1a. Not enough of a market to withstand supply. Price can be cheap which effects fuel price. If bsb is too cheap it's not worth spending the fuel to go out for it.
1b. warmer waters
1c. No

From: PAUL CARUSO [mailto:pkcaruso@comcast.net]
Sent: Monday, July 6, 2020 2:17 PM
To: Dustin C. Leaning <DLeaning@asmfc.org>
Subject: [External] Re: Fishery Performance Report for your review and next AP meeting

Sorry Dustin, Don't know how I missed that call. For recreational performance in MA, 2019 fluke fishing was even worse than in 2018. Few legal (17" plus) were inshore and available to the shore, and most of the private boat mode anglers. If you wanted legal fluke the run was 23+miles, out of reach for vessels under 25 feet. There seemed to be little for forage inshore (no sand eels). Sea bass fishing was good in 2019 but the lack of a late fall season continues to restrain recreational harvest here in MA. Even though only few of the PB mode vessels here target scup there seemed to be plenty of scup of all sizes around in 2019, as in 2018.

From:	James Fletcher
To:	Beaty, Julia
Subject:	Re: Fishery Performance Report for your review and next AP meeting
Date:	Tuesday, July 7, 2020 8:54:49 AM

Ms. Julia; Thank you for including many suggestions in performance report, especially recreational data. **DID I FORGET TO MENTION OCEAN RANCHING & ENHANCEMENT GENETICALLY FOR THESE STOCKS? IF SO MY FAULT!** Probably need to ask FM & SSC if other countries enhance stocks & how. Ask SSC to review 30 year old Yamaha Fisheries Journal for comparable stocks in far east. Matching summer flounder scup & sea bass, different name same spot in environment. off Japan coast. ASK SSC TO CONSIDER A TOTAL RETENTION OF ALL CATCH BY BOTH SECTORS AS A ECO SYSTEM MANAGEMENT PLAN.

THANK YOU!

From: HOFFMAN [mailto:mkhoffman@optonline.net]
Sent: Wednesday, July 8, 2020 6:44 PM
To: Dustin C. Leaning <DLeaning@asmfc.org>
Subject: [External] Re: Fishery Performance Report for your review and next AP meeting

Dustin

Please be aware that Steve Canizzo's comment about the abundance of fluke came from a party boat captain whose website is designed to sell fares on his boat. The captain is notorious for making statements that are self-serving. I have no problem with anybody having a different opinion than mine. Bonnie Brady confirmed my statement about fluking being slow. We were talking about the same area. Frank Blount from Rhode Island also stated that fluking was slow in his area which is just across Long Island Sound from where Bonnie and I were speaking of.

As to MRIP's mysterious numbers that I have been asking for, The dock intercepts give them the average catch per angler. The mail survey tells them how often an angler goes fishing. Then the numbers are applied to a multiple. Whatever the name of that multiple factor is (# of fishermen, x factor), you cannot get to a total number of trips without it. What is that multiple factor for each state? Why is it so secret?

With regard to the biomass surveys, Bob Beal told me that almost all of the surveys are within 3 miles as well as other people involved with the fisheries. Do some surveys go out to 4 or 5 miles? Certainly, but no surveys go 10 miles out. That was agreed to by your staff, the same person who said they go beyond 3 miles.

Try talking to some of your other panel members on the lobster and other shell fish panels. Ask how far out the lobstermen are getting seabass in their traps. How come the inshore lobsterman is extinct south of Cape Cod? Could it be that the seabass ate all the juveniles? We have 250% of the targeted biomass inshore. How many fish are outside of the limited trawl surveys. Why don't we try to find out? If we went to 10 fish per angler at 14" and I am dead wrong, the worst that could happen is that in five years we would fall back to 200%.

How has the vast increase in menhaden affected other species? How has the increase in sharks to inshore areas affected other species? Has it caused bluefish to move further offshore? Has it affected fluke?

Everything that happens to one species affects many others.

These are my comments with regard to your summary.

Regards,

Marc Hoffman