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MEMORANDUM

TO: ASMFC Summer Flounder, Scup, and Black Sea Bass Management Board

FROM: Paul Diodati, Director *Paul J Diodati*

DATE: March 12, 2014

SUBJECT: MA Proposal for a 2014 For-Hire Black Sea Bass LOA Fishery

Last year, Massachusetts requested and received approval to issue letters of authorization (LOAs) to interested for-hire fleet members that exempted them from the Commonwealth's recreational black sea bass bag limit of 4 fish at the cost of closed seasons estimated to reduce harvest by the same proportion as the bag limit reduction. The primary reason for this proposal was to address the lateness of the joint federal-interstate process in deciding black sea bass management in 2013. The regulations were:

MA 2013 Recreational Black Sea Bass Regulations

Private & For-Hire	May 11 – October 31	4 fish	14 inches
For-Hire with LOA	May 11 – June 14	10 fish	14 inches
	July 1 – August 11 September 1 – October 10	20 fish	

Following the close of the recreational black sea bass season, we reviewed the performance of the 2013 LOA fishery. While 115 LOAs were issued, the Division revoked 17 for violations (largely of reporting requirements) and only 76 vessels were active in the LOA fishery (reported one trip or more). Additionally, more than half of the vessels took 10 trips or less. In essence, there were a small number of vessels that relied heavily on the program. Nonetheless, estimated harvest (as documented by captains in mandatory logbooks) was 67,511 fish during 1,511 trips. This logbook-based harvest estimate is intriguing when broken down between charter and party vessels, as the LOA charter boat harvest estimate is greater than that MRIP estimates for all charter boats in 2013. This illuminates that the MRIP survey underestimated Massachusetts' for-hire harvest of black sea bass in 2013. Changes to the MRIP intercept survey methodology to be implemented in 2014 are anticipated to correct some of this bias.

I recognize that the complexity of our 2013 regulations reduced the ability of MRIP to accurately characterize catch in the Commonwealth's recreational black sea bass fishery, particularly given the level of interest among the for-hire fleet in the LOA fishery. For this reason (as well as other concerns regarding compliance, enforcement, and equity), I have hesitated to propose another LOA fishery for 2014. However, the regulations that Massachusetts intends to implement for its recreational black sea bass fishery in 2014 (pending Board approval) – 8 fish from May 17 through September 15 at 14

inches – will have significant economic impacts on a small number of for-hire vessels for whom a large bag limit in September is crucial to their continued operation.

Thus far for 2014, Massachusetts has proposed fishery-wide and mode-specific (private vs. for-hire) regulatory options. I accept the recommendation of the Technical Committee (TC) that the Board not approve the mode-specific options, due to data and future analysis concerns. However, I also see that the TC has recommended the Board approve Connecticut’s proposal to continue its LOA fishery, because of its smaller scale (participating vessels and overall harvest) compared to MA’s 2013 LOA fishery.

Consequently, I am proposing a substantially scaled back for-hire LOA fishery program for the Commonwealth in 2014. I hope that this program will help us to determine if there is a future application for small customized fisheries.

I propose limiting for-hire vessels that opt into the LOA fishery in 2014 to the following rules:

- 8 fish from May 17 – May 31 (14”) and
- 20 fish from September 1 – September 30 (14”).

These rules cut the number of open days in the LOA fishery from 117 days in 2013 to 45 days in 2014, and also reduce the early season bag limit from 10 to 8 fish (aligned with the rest of the fishery). Vessels opting into the program would be subject to stringent conditions, including but not limited to: 1) no possession of recreationally harvested black sea bass during any other times; 2) logbook reporting; and 3) suspension or revocation of their for-hire permit in addition to immediate forfeiture of the LOA for any violations. It is anticipated that participation in, and harvest from, the 2014 LOA fishery would drop greatly compared to the 2013 LOA fishery.

These LOA regulations are estimated to reduce harvest in the LOA fishery by considerably more than we expect to achieve from the rest of our recreational black sea bass fishery. This conservative approach is intended to compensate for several factors: 1) the noted underestimation of for-hire harvest by MRIP in 2013; and 2) inability to realistically anticipate and account for effort recoupment by the LOA vessels during the September season at 20 fish.

The calculations are based on the harvest, by wave, of a subset of the LOA trip data submitted in 2013. The subset included vessels that reported high angler harvests during the September/October open season, as only those that can be highly successful at the 20-fish limit in September are anticipated to participate in 2014 given the restrictive seasonal closure they will face during the summer. The data were also modified to adjust for reported (or misreported) potential illegal harvest. The data were then used to simulate harvest rates under various more restrictive options for 2014. Reductions in days account for the proportion of harvest by wave of the simulated fleet.

In summary, I am asking that the Board consider approval of the following recreational black sea bass regulations for Massachusetts in 2014:

MA Proposed 2014 Recreational Black Sea Bass Regulations

Private & For-Hire	May 17 – September 15	8 fish	14 inches
For-Hire with LOA	May 17 – May 31	8 fish	14 inches
	September 1 – September 31	20 fish	