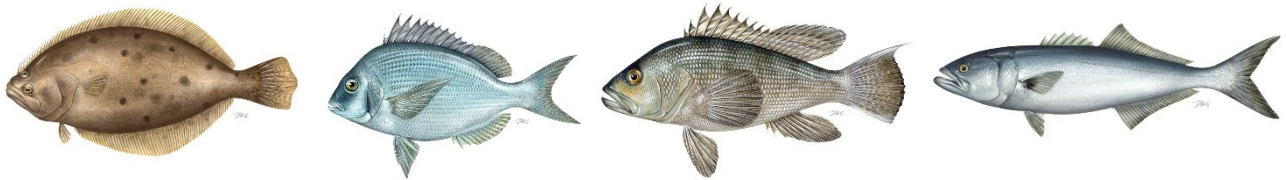


PUBLIC INFORMATION/SCOPING DOCUMENT

Recreational Sector Separation and Data Collection Amendment

An Omnibus Amendment to the Summer Flounder, Scup, and Black Sea Bass and
the Bluefish Fishery Management Plans

January 2025



Prepared by the Mid-Atlantic Fishery Management Council
and the Atlantic States Marine Fisheries Commission



Introduction

The Atlantic States Marine Fisheries Commission (Commission) and the Mid-Atlantic Fishery Management Council (Council) are seeking public input on the potential development of an amendment to the Summer Flounder, Scup, and Black Sea Bass Fishery Management Plan (FMP) and the Bluefish FMP. These species are managed cooperatively by the Commission in state waters (0-3 miles) and by the Council and NOAA Fisheries in federal waters (3-200 miles).

The purpose of this proposed amendment is to consider modifications to the recreational management program for summer flounder, scup, black sea bass, and bluefish. Specifically, the amendment may consider options for managing for-hire recreational fisheries separately from other recreational fishing modes (referred to as sector separation), as well as options related to the collection and use of recreational data, such as private angler reporting and enhanced for-hire vessel trip reporting (VTR) requirements. This amendment was initiated in October 2020 as part of the [Recreational Reform Initiative](#). The amendment has been on hold since that time to prioritize the development of other actions, including the [Harvest Control Rule Framework/Addenda](#) (2022) and the [Recreational Measures Setting Process Framework/Addenda](#) (ongoing) to modify the recreational measures setting process.

What is scoping?

The Commission and Council are currently conducting **scoping** for this Recreational Sector Separation and Catch Accounting amendment. Scoping is the process of identifying major issues and potential management approaches to be explored during the development of new fishery management actions. You will have additional opportunities to provide comments; however, **scoping provides the first and best opportunity to make suggestions and raise concerns about new actions.** Your comments early in the development of this action will help the Council and Commission identify issues of concern and determine which types of management alternatives should be further developed.

To facilitate public input, this document provides a broad overview of the issues identified for consideration in the amendment, management approaches that may be considered, and a series of questions to guide public comment on the management of these species.

It is important to note that **specific management options/alternatives have not yet been identified.** After reviewing public comments received through the scoping process, the Council and Commission will determine the issues to be addressed and the scope of the amendment. A range of management options will be developed, potentially including, but not limited to, the issues described in this document.

How to Comment

Public comments may be submitted via public scoping hearings or through written comments. More details about the **hearing dates and locations**, once available, can be found at: <https://www.mafmc.org/actions/recreational-sector-separation-and-data-collection-amendment>.

All written comments must be received by 11:59 pm Eastern Daylight Time on Thursday, March 20, 2025. You may submit **written comments** through one of the following methods:

- 1) **Online** at: <https://mafmc.knack.com/public-comments#rec-sector-separation-data-collection/>
- 2) **Email** to: kdancy@mafmc.org
- 3) **Mail** to: Dr. Chris Moore, Executive Director, Mid-Atlantic Fishery Management Council, 800 North State Street, Suite 201, Dover, DE 19901

Please include "Recreational Sector Separation and Data Collection" in the subject line if using email or on the outside of the envelope if submitting written comments.

All comments, regardless of submission method, will be shared with the Commission and Council and will be made publicly available on their respective websites. It is not necessary to submit the same comments to both the Council and Commission or through multiple channels.

Why are the Commission and Council considering this action?

The Commission and Council are considering developing an amendment to address two recreational management issues.

Recreational Sector Separation: The Commission and Council will consider whether recreational sector separation could help tailor management to the varying preferences, data availability, and economic considerations of each component of the recreational fishery. Currently, the private and for-hire recreational sectors are managed as a single unit and are held to a single, combined recreational harvest target. Management measures are typically developed and adjusted for the recreational fishery as a whole. However, the two sectors have different motivations, preferences, fishing behaviors, operational needs, and data reporting requirements. Some recreational fishery participants have expressed an interest in recreational sector separation, which would entail managing the for-hire and private sectors of the recreational fishery separately. This could potentially allow managers to better tailor management to the needs and preferences of each sector while allowing for improved utilization of data reported by the for-hire sector. Through this amendment, the Council and Commission intend to explore whether recreational sector separation is appropriate for these fisheries.

Recreational Data Collection: The Council and Commission will also consider approaches to improve or supplement the collection and use of the recreational data that support management decisions for these species. Summer flounder, scup, black sea bass, and bluefish are popular recreationally-targeted species, with millions of directed trips taken per year.

Recreational catch in these fisheries is inherently difficult to estimate for a number of reasons, including the open-access nature of participation in these fisheries, high numbers of trips taken, widely varying angler behavior, and lack of reporting requirements for private anglers.

Recreational catch for these species is estimated via the Marine Recreational Information Program (MRIP), using sampling protocols and statistical expansion methods which can result in variable and uncertain estimates. This is especially true when data are broken down into finer spatial and temporal scales. Angler confidence in the accuracy of recreational estimates has been a longstanding problem. Therefore, the Commission and Council have previously recognized the need to explore alternative approaches and additional data streams that could help improve recreational data.

Issues for Consideration

Issue 1: Recreational Sector Separation

Description of the Issue

The recreational fisheries for summer flounder, scup, black sea bass, and bluefish include a for-hire sector, which is made up of headboats and charter vessels, and a private recreational sector, which includes anglers fishing from shore or from private or rental vessels. These sectors currently share a single combined harvest target, with performance evaluation and accountability measures applied collectively. With some exceptions, recreational management measures such as seasons, bag limits, and size limits are usually applied to the recreational fishery as a whole, without making a distinction between the private recreational and for-hire sectors. However, the two sectors have differing motivations, preferences, fishing behavior, and operational needs. The for-hire sector, driven by economic factors, prioritizes stability and predictability in regulations for business planning. Private anglers, on the other hand, have diverse motivations and varying levels of access to these fisheries, driven largely by individual preferences and circumstances. Data collection also varies between these two recreational sectors; federally-permitted for-hire operators are required to submit eVTRs and have expressed desire for their data to be better utilized in management decisions. The private recreational sector does not have similar reporting requirements, necessitating the use of MRIP data.

Given these differences, managing the two recreational sectors separately could allow for more tailored management approaches and ensure measures better align with the unique characteristics of each sector. However, sector separation would also introduce complexity to the management process, and some stakeholders have raised concerns that it could create regulation imbalances and conflicts within the recreational fishing community. Sector separation may also require use of data that is more uncertain when broken down by sector.

Potential Management Approaches

The Council and Commission intend to explore a range of approaches related to recreational sector separation. These may include, but would not be limited to:

- **Separate management measures for each sector.** This option would focus only on processes for setting different management measures by recreational sector, without separate allocations of catch or harvest. These separate measures would be designed to account for each sector's priorities, fishing behaviors, and data sets. Although sector-specific management measures are already used in a limited manner, this action could consider a more uniform approach for development of separate measures.
- **Separate allocations for each sector.** There are several ways in which separate allocations could be created for the for-hire and private recreational sectors. Separate allocations would ultimately result in managing these components of the fishery differently, using differing management measures. Potential allocations could be made on the basis of catch (includes both harvest and dead discards; e.g., separate annual catch limits) or landings (harvest only; e.g., separate recreational harvest limits). Options to be considered may include separate annual catch limit (ACL) allocations, separate recreational sub-ACL allocations, or separate recreational harvest limits (RHLs). These options may require development of corresponding accountability measures.
- **Other approaches identified through this scoping process.**

These types of measures may be explored on a coastwide basis for all four species, or could be developed on a regional and/or species-specific basis if appropriate.

Scoping/Public Comment Questions

- Do you believe recreational sector separation should be explored for these fisheries? Why or why not?
- If you support recreational sector separation, what approaches do you think would be most appropriate and why?
- If sector separation is pursued, should the Council and Commission consider setting limits on the ability to obtain or retain federal for-hire permits? (e.g., restrictions on the number of permits available, additional permit criteria or requirements, limits on the ability to temporarily drop and re-apply for these permits, etc.)
- What else should the Council and Commission consider relative to recreational sector separation?

Issue 2: Recreational Data Collection

Description of the Issue

As described above, recreational catch estimation is inherently difficult and there has been much expressed concern related to the accuracy, precision, and variability of MRIP estimates. For these reasons, there has been interest in exploring options that could improve the collection and/or use of recreational data for these species. It is important to note that MRIP data are considered the best scientific information available for these four recreational fisheries

and will continue to be used for stock assessments and catch limit evaluations for the foreseeable future. NOAA continues to evaluate improvements to MRIP (see Supplemental Information section below).

Potential Management Approaches

The Council and Commission intend to explore a range of approaches for enhancing recreational data collection and reporting. These may include, but are not limited to:

- **Mandatory recreational reporting** (e.g., private angler reporting, mandatory tournament reporting, etc.)
- **Alternative harvest programs** (e.g., harvest tags, stamp program, etc.)
- **Enhanced for-hire VTR requirements** (e.g., modifications to required reporting elements, processes, timing; implementation of VTR requirements for state-permitted vessels)
- **Voluntary or citizen science angler reporting programs** (potentially including development of technical guidelines for the use of any data collected)
- **Other approaches identified through this scoping process.**

These types of measures may be explored on a coastwide basis for all four species, or could potentially be developed on a regional and/or species-specific basis if appropriate. It is important to consider that some approaches, such as mandatory recreational reporting, would require substantially increased administrative support and funding. Potential funding needs and mechanisms for these approaches have not yet been explored.

When developing options, it will be useful for the Council and Commission to consider other investigations of this issue, within and outside of the management units of these species. In recent years, many reports, workshops, and other evaluations have been conducted to summarize existing data collection programs and to explore the feasibility of improvements. The Council and Commission should utilize these resources and incorporate lessons learned during the development of any options.

Scoping/Public Comment Questions

- What do you think are the most critical areas of improvement needed for recreational data collection?
- Should some form of catch reporting for recreational anglers fishing from private vessels and the shore be considered in this amendment? Why or why not?
- Are revisions to for-hire data collection methods and reporting requirements needed? If so, what types of changes should be considered in this amendment?
- Are there other options not listed here related to recreational data collection and catch estimation that should be considered?
- What else should the Council and Commission consider relative to recreational data collection and catch estimation?

Next Steps

After scoping, the Commission and Council will develop and evaluate potential management options (referred to as “alternatives” in the Council process). There will be several additional opportunities for public input on development of these alternatives. Table 1 describes the major expected next steps in development of this amendment.

After development and consideration of management alternatives and analysis of their impacts, the Council and Commission will choose preferred management measures. The Council will submit their recommendations to the National Marine Fisheries Service for review and consideration for approval. Approved management measures will be implemented through publication of proposed and final rules in the Federal Register, which will include additional public comment periods. Commission decisions are final; however, state rulemaking processes may apply.

Table 1: Expected timeline for amendment next steps. This timeline is subject to change.

Winter 2025	Scoping hearings and comment period
Spring 2025	Council and Board review scoping comments and identify potential categories of alternatives to consider
Summer 2025	Initial development of draft management alternatives
Fall/Winter 2025	Council and Board approve a range of alternatives for inclusion in a public hearing document
Winter/Spring 2026	Council and Board approve public hearing document
Spring/Summer 2026	Public hearings
Summer/Fall 2026	Consider document for final action
Winter/Spring 2027	Federal rulemaking and comment periods
Spring/Summer 2027	Effective date of management changes

Stay Informed

For additional information and updates on development of this amendment, please visit: <https://www.mafmc.org/actions/recreational-sector-separation-and-data-collection-amendment>.

The Council and Commission will publish announcements about future opportunities for public comment in the Federal Register and at www.mafmc.org and www.asmfc.org.

If you have any questions, please contact:

- Kiley Dancy, Mid-Atlantic Fishery Management Council, at kdancy@mafmc.org or 302-526-5257, or
- Tracey Bauer, Atlantic States Marine Fisheries Commission, at tbauer@asmfc.org or 703-842-0723.

Supplemental Information and Additional Resources

General Species and Management Information

Additional information about the Recreational Reform Initiative can be found here:

<https://www.mafmc.org/actions/recreational-reform-initiative>.

General information on these species, including current management requirements, stock status, and commercial and recreational catch and landings trends can be found in the most recent Council Fishery Information Documents and the Commission FMP reviews for fishing year (FY) 2023 linked below. Commenters may also wish to refer to the FMP Goals and Objectives for these species when considering which management approaches may be appropriate.

Council Fishery Information Documents	Commission FMP Reviews	FMP Goals and Objectives
Summer Flounder 2024 Fishery Information Document	Summer Flounder FY2023 FMP Review	Summer Flounder, Scup, and Black Sea Bass FMP goals and objectives
Scup 2024 Fishery Information Document	Scup FY2023 FMP Review	
Black Sea Bass 2024 Fishery Information Document	Black Sea Bass FY2023 FMP Review	
Bluefish 2024 Fishery Information Document	Bluefish FY2023 FMP Review	Bluefish FMP goals and objectives

Recreational Fishing Mode Trends

There are several different “modes” or “sectors” within the recreational fisheries, referring to the different types of recreational fishing including shore-based fishing, fishing using a private or rented boat, and “for-hire” fishing from either a party boat (also known as a headboat) or charter vessel. For summer flounder, scup, and black sea bass, the private/rental fishing mode dominates the recreational harvest in both numbers of fish and in pounds harvested. Of these species, scup and black sea bass have a higher percentage of harvest from the for-hire sector (11% of pounds harvested) compared to summer flounder (5% of pounds harvested; Figure 1).

For bluefish, shore mode represents the majority of harvest, particularly in numbers of fish. Compared to summer flounder, scup, and black sea bass, bluefish displays more of a difference in the breakdown by mode between harvest in pounds vs. harvest in numbers of fish, given the prevalence of shore fishing for bluefish targeting fish that on average are smaller than those caught further from shore (Figure 1).

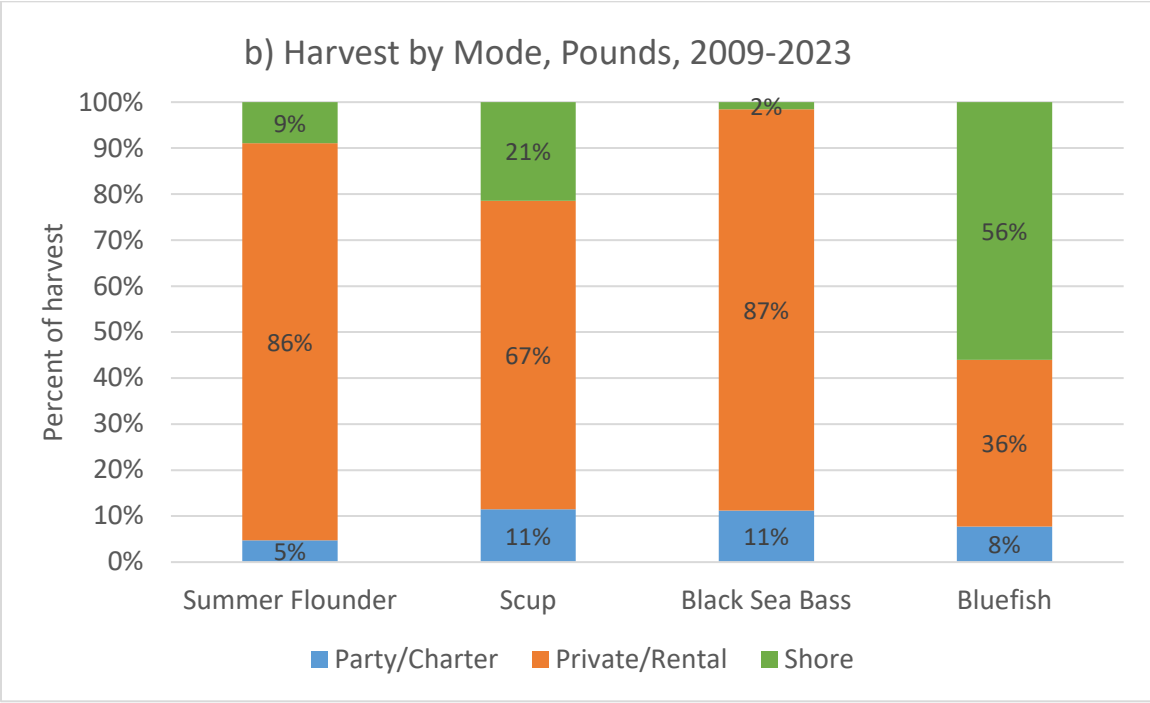
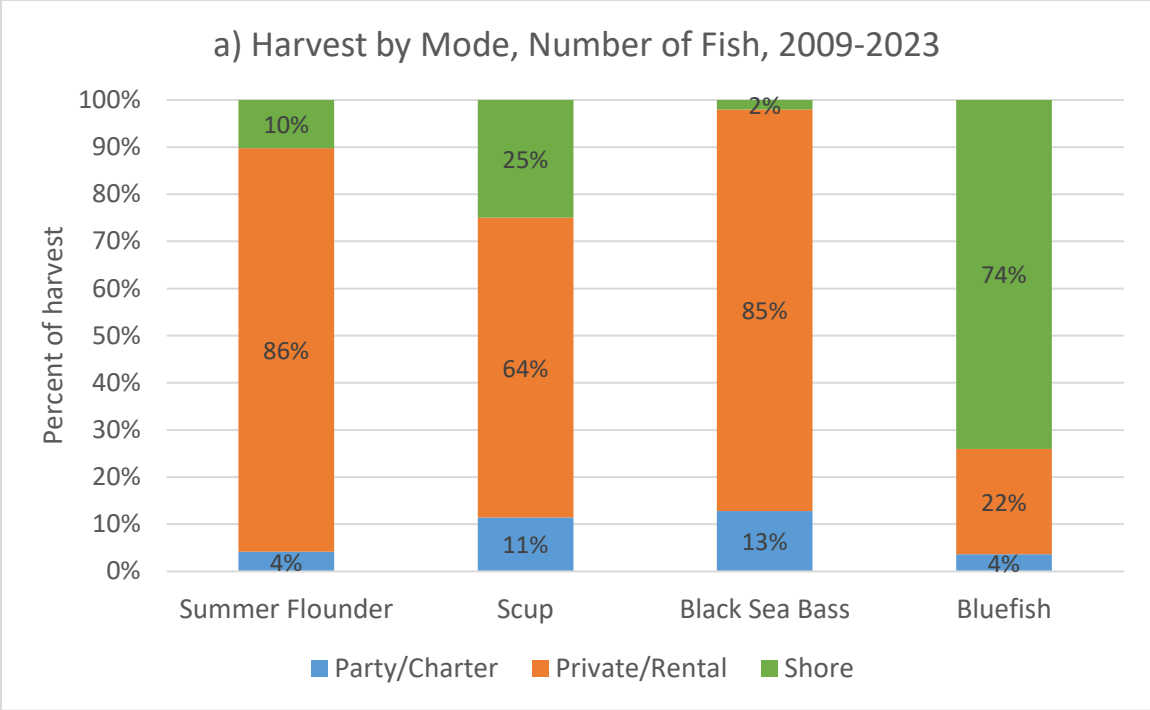


Figure 1: Average harvest by recreational fishing mode, 2009-2023, in a) numbers of fish harvested, and b) pounds of fish harvested.

Recreational Directed Trips

Estimated directed trips for these species in 2023 are shown in Table 1. Directed trips range from approximately 2.7 million trips for black sea bass to approximately 10.5 million trips for summer flounder.

Table 1: MRIP-estimated directed trips in 2023, where each species was a primary or secondary target. Summer flounder, scup, and black sea bass are estimated for Maine through Virginia; bluefish is estimated for the entire Atlantic coast.

Species	Estimated directed trips in 2023 (Primary or secondary target)
Summer flounder	10,529,223
Scup	2,867,301
Black sea bass	2,738,789
Bluefish	7,069,702

Recreational Data Collection and Catch Estimation

MRIP Estimates

Recreational catch and harvest estimates for these four species in the Greater Atlantic region are generated by MRIP. Through MRIP, NOAA Fisheries and its state, regional, and federal partners use in-person, telephone, and mail surveys to measure the number of trips saltwater anglers take and the number of fish they catch.

In the Greater Atlantic region, MRIP administers three general surveys to collect data to produce general recreational catch and effort estimates. The [Access Point Angler Intercept Survey](#) (APAIS) is an in-person survey conducted at publicly [accessible fishing sites](#) which generates catch rate information (average numbers of species caught per trip). Effort information (number of trips) is estimated via the [Fishing Effort Survey](#), a mail survey that collects information about fishing activity from households in coastal states, and the [For-Hire Survey](#) (FHS), a telephone survey that collects effort information from for-hire (party/charter) vessel representatives. Catch rate and effort information from these surveys is then combined to generate total catch estimates.

Additional information on current recreational data collection via MRIP is available at: <http://mafmc.org/mrip>.

Currently, NOAA is testing further revisions to the FES methodology. Following a pilot study published in 2023 which evaluated potential sources of bias in the FES, a large-scale study is being conducted in 2024 to better understand differences in respondent recall and resulting effort estimates **for private or rental modes only** based on various survey designs. Specifically, this study is testing revisions to the order of fishing effort questions to reduce private recreational reporting errors and illogical responses, as well as increasing the administration frequency of the survey from bi-monthly to monthly. The study report will be finalized in 2025,

and if necessary, calibrated historical catch and effort estimates may be produced in 2026 (at the earliest) to account for any changes to FES private/rental mode estimation methodology. Additional information about these survey improvement efforts can be found here: [Effort Survey Improvements](#).

For-Hire Reporting Requirements

Federal for-hire permit holders for summer flounder, scup, black sea bass, and bluefish must submit an electronic VTR for each fishing trip, within 48 hours of trip completion. Additional information on current GARFO for hire reporting requirements for federal permit holders can be found here: <https://www.fisheries.noaa.gov/new-england-mid-atlantic/resources-fishing/vessel-trip-reporting-greater-atlantic-region>.

State-level for-hire reporting requirements may also apply to state permitted vessels, however, such requirements vary by state and may differ from federal reporting requirements.

Tournament Reporting

Currently, there are no special reporting requirements or catch estimation methodology adjustments for tournament catch for the species being considered in this action. There does not appear to be a comprehensive list of all tournaments involving these species. Within the Greater Atlantic region there are several tournaments that target summer flounder, black sea bass, and bluefish; however, there does not appear to be any tournaments within the region targeting scup.

An example of where tournament reporting requirements have been implemented for other species is NOAA's [Highly Migratory Species \(HMS\) tournament reporting requirements](#), requiring tournament operators to report all HMS catch—landed and released—within a week of the tournament's final day.