

***Atlantic States Marine Fisheries Commission***

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**MEMORANDUM**

February 1, 2013

To: Summer Flounder, Scup, and Black Sea Bass Management Board

From: Toni Kerns, Acting ISFMP Director

RE: 2013 Summer Flounder Recreational Fishery Proposals

List of Participants

Jason McNamee (RI)	Peter Clarke (NJ)	Tom Wadsworth (NC)
Paul Caruso (MA)	Rich Wong (DE)	Mark Terceiro (NMFS)
Greg Wojcik (CT)	Steve Doctor (MD)	Kiley Dancy (MAFMC)
John Maniscalco (NY)	Allison Watts (VA)	Toni Kerns (ASMFC)

**Summer Flounder Recreational Proposals**

The Board and Council met in December of 2012 to establish the 2013 recreational management program. At this meeting, the Board and Council agreed that the states would implement conservational equivalent measures rather than implement a coastwide management program.

The Technical Committee (TC) agreed that in order for a state proposal to be considered the state must develop evaluations of their states past management history (size, season, and possession limits), fishery performance relative to those measures, and an evaluation of which measures work for that state or region. The evaluations should show the state's general fishery performance since 2002 when conservation equivalency began. A more detailed analysis should be completed for the state's most recent two years. States that liberalize their regulations should develop a detailed analysis of the methods last used to liberalize their summer flounder fishery.

The TC met on January 25, 2013 to review the state management proposals for 2013. The TC evaluated the merit of each state's proposal using MRIP data. Below are the details of each option and the Technical Committee recommendations to the Board. Each proposal assumes that effort and availability in 2013 will be similar to prior years.

The TC notes there is a general concern that some states regulations are approaching those regulations from the late 1990s and early 2000's when overages were high. Despite this the early MRFSS estimates were biased high for some states so those harvest estimates may not be seen due to the transition to MRIP. Precautionary approaches should be taken when adjusting min sizes particularly when liberalizing more than .5 inch increments in one year.

The TC notes the unequal distribution of harvest and risk amongst states. To illustrate the point, a 10% overage in NJ in 2012 would have equaled 109,040 fish, whereas a 10% overage in DE would have equaled 9,485 fish. State's with the highest overall harvest along the coast need to be particularly careful when setting conservation equivalency measures because even though they may only incur a small proportional overage, in magnitude it can be equal to another state's entire annual harvest, and therefore can lead to more severe ramifications coastwide based on this magnitude.

**Massachusetts**

2012 Harvest Target: 153,089 fish  
 2012 Landings: 77,375 fish  
 2013 Harvest Target: 137,307 fish  
 Alteration for 2013: 77.5 % liberalization

**2012 Regulations:**

Minimum Size: 16.5"  
 Possession Limit: 5 fish  
 Open Season: May 22-September 30

**Proposed 2013 Measure**

Option #	Min Size	Bag Limit	Open Season	Liberalization
1	16.0"	5 fish	May 22-September 30	15-22%

**Technical Committee Recommendations: Approve**

**Rhode Island**

2012 Harvest Target: 157,885 fish  
 2012 Landings: 103,669 fish  
 2013 Harvest Target: 141,609 fish  
 Alteration for 2013: 36.6% liberalization

**2012 Regulations:**

Minimum Size: 18.5"  
 Possession Limit: 8 fish  
 Open Season: May 1-December 31

**Proposed 2013 Measures**

Option	Min Size	Bag Limit	Season	Liberalization
1	18.5"	8	May 1-December 31	0%
2	18.0"	8	May 1-December 31	28%

**Technical Committee Recommendations: Approve**

## **Connecticut**

2012 Harvest Target: 104,324 fish

2012 Landings: 61,969 fish

2013 Harvest Target: 93,569 fish

Alteration for 2013: 51% liberalization

### **2012 Regulations:**

Minimum Size: 18.5”      **At 43 designated shore sites:** Minimum Size: 16”

Possession Limit: 5 fish

Possession Limit: 5 fish

Open Season: May 15-October 31

Open Season: May 15-Oct 31

### **Proposed 2013 Measures:**

**For all options, CT proposes to have a separate shore size limit to allow the catch of fish at 16” at specified locations the bag and season will mirror the other modes.**

<b>Option</b>	<b>Min Size</b>	<b>Bag Limit</b>	<b>Season</b>	<b>Liberalization</b>
1	18”	5	May 15-October 31	0%
2	18”	5	May 1-October 31	14.8%
3	17.5”	5	May 15-October 31	23.8%
4	18”	8	May 15-October 31	13.5%
5	17”	5	May 15-October 31	38.4%
6	17.5	5	May 1-October 31	42.1%

### **Technical Committee Recommendations: Approve**

The TC notes that the state does not meet the FMP requirement of a PSE less than 15% for separate shore mode, however this metric was put in place under the MRFSS program and may not apply to MRIP estimates. Currently, there is little to no data to support the shore mode analysis, but the state has provided evidence for increased data collection for the shore mode in 2013.

## **New York**

2012 Harvest Target: 491,642 fish

2012 Landings: 514,328 fish

2013 Harvest Target: 440,960 fish

Alteration for 2013: 14.3 % reduction

### **2012 Regulations:**

Minimum Size: 19.5”

Possession Limit: 4 fish

Open Season: May 1 – September 30

**Proposed 2013 Measures:**

Option	Min Size	Bag Limit	Season	Reduction
1	19.5	4	May 3 – August 22	14.54%
2	19.5	4	May 10 – August 27	14.36%
3	19.5	4	May 18-September 8	14.36%
4	19.5	4	May 17-September 4	14.41%
5	19.5	4	May 20-September 15	14.44%
6	19.5	4	May 22-September 23	14.34%
7	19.5	4	May 24-September 30	14.42%

**Technical Committee Recommendations: Approve**

The TC notes that further increases in the size limit increases non-compliance and will increase the disparity of NY and neighboring states. Therefore the TC recommends a change in the season over a change in the size limit. NY is currently one inch greater than other states within the management unit.

**New Jersey**

2012 Harvest Target: 1,090,407 fish

2012 Landings: 1,153,975 fish

2013 Harvest Target: 977,998 fish

Alteration for 2013: 15.2% reduction

**2012 Regulations:**

Minimum Size: 17.5”

Possession Limit: 5 fish

Open Season: May 5-September 28

**Proposed 2013 Measures:**

Option	Min Size	Bag Limit	Open Season	Reduction
Status Quo	17.5	5	May 5-Sept 28	0%
1	17.5”	5	May 24 – Sept 21	15.3%
2	17.5”	5	May 18 – Sept 16	15.5%
3	17.5”	5	May 4 – Sept 5	15.5%
4	18”	5	May 18 – Sept 26	15.4%
5	18”	5	May 11 – Sept 20	15.6%
6	18”	5	May 1 – Sept 12	15.6%
7	18.5”	5	May 1 – Oct 31	15.5%

**Technical Committee Recommendations: Approve options 1-7.** Do not approve status quo because it does not meet the required reduction. NJ used two methods to develop proposals, the Healthy, self-sustaining populations for all Atlantic coast fish species or successful restoration well in progress by the year 2015

first followed the description outlined in the conservation equivalency memo from ASMFC and the second used the VAS methodology as was presented in 2012. The TC has reservations about using the VAS methodology; however the options it generates in 2013 are more conservative than the options created using the methods specified in the Conservation Equivalency memo

**Delaware**

2012 Harvest Target: 87,536 fish  
 2012 Landings: 38,469 fish  
 2013 Harvest Target: 78,512 fish  
 Alteration for 2013: 104.1% reduction

**2012 Regulations:**

Minimum Size: 18”  
 Possession Limit: 4  
 Open Season: January 1- October 23

**Proposed 2013 Measures:**

Option	Min Size	Bag Limit	Open Season	Liberalization
1	18”	4	January 1-October 23	0%
2	17.5”	4	All Year	10.1%
3	17”	4	All Year	40.1%
4	16.5”	4	All Year	81.8%

**Technical Committee Recommendations: Approve**

**Maryland**

2012 Harvest Target: 82,340 fish  
 2012 Landings: 20,699 fish  
 2013 Harvest Target: 73,852 fish  
 Alteration for 2013: 256.8% liberalization

**2012 Regulations:**

Minimum Size: 17.5”  
 Possession Limit: 3 fish  
 Open Season: April 14-December 16

**Proposed 2013 Measures:**

Option	Min Size	Bag Limit	Open Season	Liberalization
1	17.5”	3	April 14-December 16	0%
2	17”	3	All Year	17%
3	16”	3	All Year	105%
4	16”	4	All Year	108%
5	15”	3	All Year	181%

**Technical Committee Recommendations: Approve**

**Virginia**

2012 Harvest Target: 456,661 fish

Healthy, self-sustaining populations for all Atlantic coast fish species or successful restoration well in progress by the year 2015

2012 Landings: 262,828 fish  
 2013 Harvest Target: 417,657 fish  
 Alteration for 2013: 58.9% liberalization

**2012 Regulations:**

Minimum Size: 16.5”  
 Possession Limit: 4 fish  
 Open Season: All year

**Proposed 2013 Measures:**

Option	Min Size	Bag Limit	Open Season	Liberalization
1	16.5”	4	All year	0%
2	15.5”	4	All year	26-53%
3	16”	4	All year	14-29%
4	16.5”	5	All year	4%

**Technical Committee Recommendations: Approve-** the TC is feels option B is risk prone because there is very little buffer between the projected harvest estimate and the harvest target.

**Additional Factors accounted for in proposal:**

The VMRC projected 2013 landings, on the basis of 3 different data sources (VA VAS, ChesMMAAP, NEAMAP). Five treatments were used to produce a range of predicted landings at different lowered size limits, where treatments included multi-year length data from one of these surveys or a combination of these surveys, were also included.

**North Carolina**

2011 Harvest Target: 156,286 fish  
 2011 Landings: 60,802 fish  
 2012 Harvest Target: 140,175 fish  
 Alteration for 2012: 130.5% liberalization

**2012 Regulations:**

Minimum Size: 15”  
 Possession Limit: 6 fish  
 Open Season: All Year

**Proposed 2013 Measures: Status Quo**

**Technical Committee Recommendations: Approve**

PRFC will consider both the Maryland and Virginia proposals and pick one for their 2012 measures.

**For all state proposals:** States may alter the start and end date of the season as long as it follows the methodology used in their proposal to achieve the required alterations listed above.