



Mid-Atlantic Fishery Management Council
800 North State Street, Suite 201, Dover, DE 19901
Phone: 302-674-2331 | FAX: 302-674-5399 | www.mafmc.org
P. Weston Townsend, Chairman | Michael P. Luisi, Vice Chairman
Christopher M. Moore, Ph.D., Executive Director

MEMORANDUM

Date: November 21, 2024
To: Chris Moore, Executive Director
From: Kiley Dancy and Hannah Hart, Staff
Subject: Recreational Sector Separation and Catch Accounting Amendment: Draft Scoping Document/Public Information Document and Next Steps

On Tuesday, December 10, the Mid-Atlantic Fishery Management Council (Council) and the Atlantic States Marine Fisheries Commission's Policy Board (Policy Board) will consider next steps for the Recreational Sector Separation and Catch Accounting Amendment. This action was initiated in 2020 as part of the [Recreational Reform Initiative](#), but has been on hold since that time to prioritize other management actions.

A draft scoping document/Public Information Document (PID) has been prepared for the Council and Policy Board's consideration. The Council and Board should determine whether to proceed with scoping in 2025, and if so, whether the scoping document/PID can be approved at this meeting or requires further development.

Background information, meeting materials, and objectives and considerations for discussion are provided below.

Background

During their [October 2020 joint meeting](#), the Council and the Policy Board passed the following motion:

Move to initiate a joint framework/addendum to address the following topics for summer flounder, scup, black sea bass, and bluefish, as discussed today:

- *Better incorporate MRIP uncertainty into management*
- *Develop guidelines for maintaining status quo measures*
- *Develop a process for setting multi-year measures*
- *Consider changes to the timing of federal waters measures recommendations*
- *Harvest control rule*

and to also initiate an amendment to address recreational sector separation and recreational catch accounting such that scoping for the amendment would be conducted during the development of the framework/addendum.

In February 2021, the Council and Policy Board chose to prioritize development of the [Recreational Harvest Control Rule Framework/Addenda](#) which revised the process for setting recreational measures (e.g., bag, size, and season limits) for summer flounder, scup, black sea bass, and bluefish. This framework/addenda was approved in 2022. The Council and Policy Board are now developing a follow-on action, the [Recreational Measures Setting Process Framework/Addenda](#), which will consider an improved measures setting process for 2026 and beyond. Final action on this framework/addenda is expected to occur in Spring 2025.

In December 2023, the Council and Policy Board agreed that development of the amendment referenced in the October 2020 motion, currently referred to as the Recreational Sector Separation and Catch Accounting Amendment, should be resumed in 2024.

Previous Council and Board discussions indicated that the purpose of the amendment is to explore:

1. Options for managing for-hire recreational fisheries separately from other recreational fishing modes (referred to as sector separation), and
2. Options related to recreational catch accounting, such as private angler reporting and enhanced vessel trip report requirements.

Specific management options/alternatives have not yet been identified for this action. The scoping process serves to seek public comments on major issues to be addressed and potential approaches for exploration in the action. Following the scoping process, the Council and Policy Board would identify the scope of the action, refine the problem statements, and determine which types of management alternatives should be further developed.

A Fishery Management Action Team/Plan Development Team (FMAT/PDT) has been established for this action and has met once on November 19 to inform development of a scoping and public information document.

Meeting Materials

Attached to this memo is a **Draft Action Plan** for the Recreational Sector Separation and Catch Accounting Amendment as of November 2024.

A **Draft Scoping and Public Information Document** is in development and will be posted to the meeting page once available.

Objectives and Considerations for the Council and Policy Board

At the December 10 joint meeting, the Council and Policy Board should review the draft action plan and draft Scoping and Public Information Document and consider next steps for this action.

As previously discussed by these bodies, there are ongoing efforts by NOAA Fisheries to improve and potentially revise the Marine Recreational Information Program (MRIP) Fishing Effort Survey (FES), which are likely to impact catch data used in the development of this amendment. Following a pilot study published in 2023 which evaluated potential sources of bias in the FES, a large-scale ongoing study is being conducted to better understand differences in respondent recall and resulting effort estimates based on various survey designs. The study report and side-by-side data comparisons for 2024 will be finalized in 2025. If necessary, calibrated historical catch and effort estimates may be produced in 2026 (at the

earliest) to account for any changes to FES methodology. The Council and Policy Board should consider the potential implications of this effort on the Recreational Sector Separation and Catch Accounting Amendment and the proposed timeline associated with this amendment.

Staff see four potential paths forward at the December meeting:

- **Approve the document for public comment**, with suggestions for minor revisions if necessary. If the document is approved at this meeting, a series of scoping hearings and a public comment period could be conducted in Winter/Spring 2025.
- **Provide guidance to the FMAT/PDT on further revisions to the document**, to be considered for approval at a future meeting in Winter/Spring 2025, if the groups think the document needs further development before it is ready for public comment. This could include major changes to the content, and/or modifications to the range of issues considered for scoping.
- **Continue to suspend development** of this action until a specified future time.
- **Remove this action** from the Council and Policy Board priorities/planned projects.

An additional point of feedback requested from the Council and Policy Board is **whether the name of the action should be changed** for clarity. The FMAT/PDT discussed that the term “catch accounting” is likely to cause confusion based on varying interpretations of the term. While originally intended to refer to the process of recreational data collection, reporting, and catch estimation, many are interpreting it to refer to accountability measures (i.e., management responses to catch limit overages). While accountability measures are likely to be considered through the exploration of recreational sector separation, they are not currently a focal point of the amendment or highlighted as a specific standalone issue. The FMAT/PDT suggested the amendment could be renamed, for example, to “**Recreational Sector Separation and Data Collection Amendment**” or “**Recreational Sector Separation and Reporting Amendment.**”



Recreational Sector Separation and Catch Accounting Amendment to the Summer Flounder, Scup, and Black Sea Bass and Bluefish Fishery Management Plans

Draft Action Plan

As of November 21, 2024

Amendment Goal: The purpose of this amendment is to review and consider options for managing for-hire recreational fisheries separately from other recreational modes (referred to as sector separation) as well as options related to recreational data collection and catch estimation, such as private angler reporting and enhanced vessel trip reporting (VTR) requirements for the summer flounder, scup, black sea bass, and bluefish fisheries. Recreational sector separation is being considered as a potential way to make better use of for-hire reported data, in place of or in addition to Marine Recreational Information Program (MRIP) estimates, and to better account for differing preferences and motivations between for-hire vs. private/shore components of the recreational fishery. This action also considers whether there are FMP modifications that could improve or supplement recreational data collection and catch estimation processes with the intent of reducing recreational management uncertainty. This amendment is being developed by the Mid-Atlantic Fishery Management Council (Council) and Atlantic States Marine Fisheries Commission (Commission).

Types of Measures Expected to be Considered: The Council and the Commission's Interstate Fisheries Management Program Policy Board (Policy Board) will review and consider options for managing for-hire recreational fisheries separately from other recreational modes as well as options related to recreational catch accounting for summer flounder, scup, black sea bass, and bluefish. **Specific approaches or alternatives have not yet been identified at this stage in amendment development.** The list of measures below are ideas suggested in previous conversations on these issues, which may be further considered through this action. The scope of the amendment and potential options for exploration will be refined following the scoping process.

Recreational sector separation

- No action/status quo
- Managing the recreational for-hire and private/rental fisheries with separate allocations of catch or harvest, including possible options for:
 - Separate Annual Catch Limits (ACLs) for each recreational sector
 - Separate Recreational Sub-ACLs for each recreational sector
 - Separate Recreational Harvest Limits (RHLs)
- Managing the recreational for-hire and private/rental fisheries with separate management measures (bag limits, size limit, seasons, or other measures). Although this is already done for some species/state/mode combinations, this amendment may consider a more uniform approach to separate measures. If the Council and Policy Board choose to prioritize separate measures over other types of sector separation, an amendment may not be necessary depending on the options considered.
- Other approaches to be determined.

Supplemental or enhanced recreational reporting

- No action/status quo
- Mandatory recreational reporting requirements (e.g., private angler reporting, mandatory tournament reporting, etc.)
- Alternative harvest programs (e.g., harvest tags, stamp program, etc.)
- Enhanced for-hire VTR requirements
- Voluntary or citizen science angler reporting programs
- Other approaches to be determined.

Fishery Management Action Team (FMAT)/Plan Development Team (PDT)

An FMAT/PDT has been partially formed to assist with development and analysis of potential alternatives. Additional state representatives are expected to be identified by the Board. FMAT/PDT members are listed in the table below. Other Council, Commission, and NOAA Fisheries staff, as well as other experts, will be consulted as needed.

Name	Agency	Role/Expertise
Tracey Bauer	Atlantic States Marine Fisheries Commission	FMAT/PDT Co-Chair
Chelsea Tuohy	Atlantic States Marine Fisheries Commission	FMAT/PDT Co-Chair
Kiley Dancy	Mid-Atlantic Fishery Management Council	FMAT/PDT Co-Chair
Hannah Hart	Mid-Atlantic Fishery Management Council	FMAT/PDT Co-Chair
Laura Deighan	NMFS Greater Atlantic Regional Fisheries Office	Fisheries policy and legal requirements
Marianne Randall	NMFS Greater Atlantic Regional Fisheries Office	National Environmental Policy Act requirements
Sara Turner	NMFS Greater Atlantic Regional Fisheries Office	Scientific and technical analysis of federal fisheries management
Scott Steinback	NOAA Fisheries Northeast Fisheries Science Center	Recreational fisheries economist
John Maniscalco	New York Department of Environmental Conservations	State fisheries management
Corrin Flora	Maine Department of Marine Resources	State fisheries management
Matt Ayer	Massachusetts Division of Marine Fisheries	State fisheries management
John Lake	Rhode Island Division of Marine Fisheries	State fisheries management
Craig Weedon	Maryland Department of Natural Resources	State fisheries management

Expected Amendment Timeline:

This amendment was initiated in October 2020 along with several other [Recreational Reform Initiative Topics](#). However, in February 2021, work on this amendment was put on hold to prioritize development of the Recreational Harvest Control Rule Framework/Addenda. In December 2022 the Council and Policy Board agreed to continue to develop the Recreational Sector Separation and Catch Accounting Amendment; however, it was later put on hold again to prioritize development of the Summer Flounder Mesh Exemptions Framework/Addendum.

A tentative amendment timeline (as of November 2024; assuming an environmental assessment) is below. This timeline is expected to be adjusted as needed once the scope of the action is defined.

Fall 2024	Confirm/Finalize Fishery Management Action Team (FMAT)/ Plan Development Team (PDT) Membership; Development of draft scoping/public information document
December 2024	Council and Policy Board approve a scoping and public information document for public comment
Winter/Spring 2025	Scoping hearings and comment period
Spring 2025	FMAT/PDT and APs review scoping comments and provide input to Council and Policy Board on scope of amendment and possible approaches
Spring 2025	Council and Policy Board review scoping comments and FMAT and AP recommendations; define scope of action
Summer 2025	FMAT/PDT begins to develop draft alternatives
Fall 2025	Council and Policy Board review preliminary alternatives; Continued FMAT/PDT development and analysis of alternatives; AP input on draft alternatives
December 2025	Council and Policy Board approve final range of alternatives for inclusion in a public hearing document/Commission draft amendment document
Winter 2026	FMAT/PDT develops public hearing document/Commission draft amendment document
Spring 2026	Council and Policy Board approve public hearing document; Policy Board approves draft amendment document for public comment
Spring/Summer 2026	Public hearings and comment period
Summer 2026	AP meeting to provide input on preferred alternatives; FMAT/PDT meeting to provide recommendations to Council/Board
Summer/Fall 2026	Final action
Fall 2026	Staff develop and submit draft environmental assessment (EA)
Winter/Spring 2027	NMFS and other agencies review EA; final edits completed; Rulemaking and comment periods (4-7 months after EA finalized)