

*ATLANTIC STATES MARINE FISHERIES COMMISSION*

**ADDENDUM I  
TO  
AMENDMENT 3 OF THE INTERSTATE FISHERY  
MANAGEMENT PLAN FOR WEAKFISH**



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## **INTRODUCTION**

On August 22, 2000 the Atlantic States Marine Fisheries Commission's (ASMFC) Weakfish Management Board directed Commission staff to develop an addendum for Amendment 3 to the Interstate Fishery Management Plan (FMP) for Weakfish. The purpose of the addendum is to extend the current fishery management measures until such time as Amendment 4 is approved by the Weakfish Management Board.

Amendment 3 to the Weakfish FMP was approved in May 1996. The goal of Amendment 3 is to utilize interstate management so that Atlantic coast Weakfish recover to healthy levels which will maintain commercial and recreational harvests consistent with a self-sustaining spawning stock and to provide for restoration and maintenance of essential habitat. In order to achieve this goal the plan sets forth the following objectives:

- < to restore the weakfish populations over a 5-year period by restricting harvest and any other available means;
- < to reach and maintain a target fishing mortality rate of 0.5;
- < to restore the expanded age and size structure to that necessary to ultimately restore trophy fisheries and to return weakfish to their previous geographic range. An interim indicator of this level is the average mean size and age structure that existed from 1979 to 1994;
- < to achieve compatible and equitable management measures among jurisdictions throughout the fishery management unit, including states= waters and the Exclusive Economic Zone;
- < to promote cooperative interstate research, monitoring and law enforcement necessary to support management of weakfish;
- < to promote identification and conservation of habitat essential for the long term stability in the populations of weakfish; and
- < to establish standards and procedures for both the implementation of Amendment #3 of the Weakfish FMP and for determination of states= compliance with the provisions of the management plan.

Amendment 3 establishes a stock rebuilding program by which states must reduce harvest by a specified percentage annually for fishing years 1996 through 2000. The rebuilding schedule stipulates that the projected fishing mortality value must equal 0.5, or less, in year 2000. However, the rebuilding program does not provide management guidance for years subsequent to year 2000.

A Weakfish stock assessment, including data through terminal year 1998, was completed by the Weakfish Stock Assessment Sub-Committee (SAS) in 1999. The Weakfish SAS provided evidence that the average fishing mortality rate for terminal year 1998 was 0.28. The Sub-Committee noted that terminal year estimates are the most uncertain and should be considered with caution. This note aside,

the trend in fishing mortality rate reductions over time is encouraging for the status of the stock. Following peer review of this assessment by the 30<sup>th</sup> Stock Assessment Review Committee in Woods Hole, MA, the Technical Committee recommended that the Management Board modify Amendment 3 by plan Amendment to incorporate revised reference points, reference periods for determination of recreational fishery management measures, adjust recreational bag and size limits accordingly, as well as update Table 2 in Amendment 3. These recommendations follow management advice offered by the 30<sup>th</sup> SARC at the conclusion of the Weakfish stock assessment peer review.

Preparation of an Amendment to incorporate the Technical Committee's recommendations will take a minimum of one year to complete. This prevents application of any such recommendations prior to the termination of the 2000 fishing year, which is defined as **April 1 through March 31 annually**. As such, the Weakfish Management Board is extending the current 2000 fishery management measures via plan Addendum until Amendment 4 is approved. Current fishery management measures include:

< **Fishing Mortality Target = 0.50**

The current overfishing definition is any level over the target fishing mortality rate of  $F = 0.5$  on fully recruited weakfish, age 2 and older. Please see attached Section 2.2 for further details.

< **Recreational Management Measures**

In order to achieve the annual fishing mortality target, states may choose a combination of size limits, possession limits, and possibly restricted seasons or areas. States may vary recreational management measures for season or area closures according to equivalency contained in the Evaluation Manual or by submitting an alternative management proposal to the Commission for approval. Please see attached Section 3.2 for further details.

< **Commercial Management Measures**

In order to achieve the annual fishing mortality target, commercial fisheries will be constrained by a combination of size limits, gear restrictions, and possibly season and/or area closures. States may vary commercial management measures according to equivalency contained in the Evaluation Manual or by submitting an alternative management proposal to the Commission for approval. Please see attached Section 3.3 for further details.

## **MANAGEMENT MEASURES**

The Atlantic States Marine Fisheries Commission is hereby issuing an extension of year 2000 fishery management measures, as listed in Sections 2.3, 3.2 and 3.3 in Amendment 3, until Amendment 4 is approved. Sections 2.3, 3.2 and 3.3 of Amendment 3 are attached for review purposes.

# ATTACHMENT

## Sections 2.3, 3.2, and 3.3 of Amendment 31

### 2.3 STOCK REBUILDING PROGRAM

Each state is required to implement harvest reduction strategies designed to recover weakfish over a 5 year period. Table 1 describes the necessary reductions under Amendment #3 for fishing years 1996\_2000. The fishing year is currently defined as April 1 through March 31.

Table 1: Required reduction schedules for fishing mortality rates (F) for Atlantic Coast weakfish during the April 1, 1996 through March 31, 1998 period. All reductions in F are based on a 12-inch minimum size limit.

<b>Fishing Year</b>	<b>1996</b>	<b>1997</b>	<b>1998*</b>	<b>1999</b>	<b>2000***</b>
<b>Projected F</b>	1.27	1.27	1.01*	0.76*	0.50
<b>% Reduction** in F rate</b>	33	33	47*	60*	74
<b>Projected harvest rate</b>	64%	64%	54%*	44%*	34%
<b>% Reduction** in harvest rate</b>	17	17	29*	41*	53

\*Required reductions during the 1998 and 1999 fishing years will be established following completion of stock assessments for the 1995 and 1996 fishing years using the adaptive management procedure (see section 3.6). The values listed here are estimated projections based on conditions at the time of passage of Amendment #3 and they will almost certainly be revised when updated information becomes available. Once required reductions have been calculated, states will have to submit additional plans by October 1, 1997.

\*\*Reductions projected from the 1994 fishing year; the 1994 F rate is the most current terminal F estimate.

\*\*\*These numbers represent the target values for fishing year 2000, established by the Weakfish Management Board.

1 NOTE – These are merely sections draw from a larger document. For complete reference, please request a copy of Amendment 3 to the Interstate Fishery Management Plan for Weakfish.

### 3.2 RECREATIONAL FISHERIES MANAGEMENT MEASURES

In order to achieve annual fishing mortality targets, recreational fisheries will be constrained by a combination of size limits, possession limits, and possibly restricted seasons or areas. Once a basic regime for these limits is established, states may vary according to a specified table of equivalency contained in the Components of an Evaluation Manual (O'Reilly 1996, Appendix 2; Table 3 lists the possession limits at the time of passage of Amendment #3) or by submitting an alternative management proposal as described in section 3.5 of this document. Any alternative management proposals may include, but are not limited to, season or area closures. The prescribed management measures in this section and any alternative state plans shall be designed to reach the annual target mortality reductions listed in Table 1.

The possession/size limit regime listed for recreational fisheries is extracted from the Components of an Evaluation Manual (O'Reilly 1996) and has been projected from the best science available at the time of passage of Amendment #3. The Components of an Evaluation Manual (O'Reilly 1996) is subject to change as new information becomes available (see section 3.7.2). In addition, the status of the weakfish stock will be reviewed annually and the Board has the flexibility to respond to changing conditions as described under section 3.6 of this document. In the case that weakfish recover more quickly or to a greater extent than is projected, restrictions may be reduced; in the case that weakfish recover more slowly or to a lesser extent than is projected, restrictions may be increased. The Board will use the annual stock assessments to evaluate the need for any changes to the current regulations.

Table 3: Weakfish Possession limits under various minimum size limits for fishing years (April 1 to March 31) 1996 to 2000, as excerpted from the Components of an Evaluation Manual (O'Reilly 1996).

Minimum Size Limit (inches, Total Length)	Possession Limits By Fishing Year				
	1996*	1997*	1998	1999	2000
12	4	4	**	**	**
13	6	6	**	**	**
14	14	14	**	**	**
15	No limit	No limit	**	**	**
16	No limit	No limit	**	**	**

\*State regulations must remain at least as restrictive as they were during Fishing Year 1995 in order to maintain a 33% reduction in exploitation.

\*\*Possession limits for these years will be determined after the stock assessments for the 1995 and 1996 fishing years are completed.

### 3.2.1 Minimum Fish Size

Each state shall be required to promulgate regulations for their recreational fisheries that prohibit landing of weakfish less than 12 inches total length (TL). However, conservation equivalencies for minimum fish sizes larger than 12 inches will be allowed. In general, conservation equivalency would allow a longer fishing season or increased possession limits with a larger than 12 inch size limit.

### 3.2.2 Closed Seasons

States will be given flexibility to determine timing of closed seasons of sufficient length to reach their mortality reduction goals. Any state proposing such a closure would have to show to the satisfaction of the Board that the closure will achieve the desired reduction in mortality as outlined in Table 1.

In addition to the possession/size limits listed in Table 3, a seasonal closure option is available to the states that could allow states to increase possession limits (see Components of an Evaluation Manual). However, these optional closures would be in addition to any seasonal closures that might be required to meet fishing mortality reduction goals.

### 3.2.3 Closed Areas

States may use area closures to account for required reductions in mortality. Any state proposing such a closure would have to show to the satisfaction of the Board that the closure will achieve the desired reduction in mortality as outlined in Table 1.

## 3.3 COMMERCIAL FISHERIES

To achieve fishing mortality targets, commercial fisheries will be constrained by size limits, gear restrictions, and possibly season and/or area closures. The combined effect of these management measures shall be designed to achieve the required mortality reductions as outlined in Table 1..

### 3.3.1 Definition of Directed Fishery

A "directed fishery" is defined by the ASMFC Interstate Fisheries Management Program Charter as "fishing for a stock using gear or strategies intended to catch a given target species, group of species, or size class."

States may allow fishermen targeting species other than weakfish (i.e. non directed fisheries) to possess no more than 150 pounds in any one day or trip (whichever is the longer period of time) as allowable bycatch during any otherwise closed season. However, any state choosing to do so must have a



reporting system in place that will allow adequate quantification of any such catch. Furthermore, each state choosing to allow a “bycatch allowance” must account for any harvest of weakfish from non\_directed fisheries in their state plans. Any bycatch of weakfish retained in non\_directed fisheries must be at least 12 inches or greater total length.

At no time will the southern penaid shrimp fishery and the commercial hook and line fishery be permitted any bycatch allowance of weakfish during any otherwise closed season.

### 3.3.2 Minimum Fish Size

Each state shall be required to promulgate regulations for their directed commercial fisheries that prohibit landing of weakfish less than 12 inches TL.

Pound net and haul seine fisheries within internal waters are allowed to harvest fish smaller than 12 inches total length, however, catches from these fisheries must be monitored and accounted for in each state’s proposal. Harvest of smaller fish requires that states comply with conservation equivalencies as currently listed in the Components of an Evaluation Manual. For example, conservation equivalencies may require states with pound net or haul seine fisheries to shorten seasons. The Weakfish Management Board will consider further exceptions within internal waters (with conservation equivalencies required) on a case by case basis.

Notwithstanding Sections 3.5 and 4.1.3, no other gears may harvest and retain weakfish smaller than 12 inches TL.

### 3.3.3 Minimum Mesh Size For Nets

Directed weakfish fisheries will be required to use mesh sizes that retain only 25% or less of weakfish less than 12 inches TL (often called  $L_{25}$  mesh sizes). These mesh sizes for commercial gill nets and fish trawl nets are listed in Table 3 of the most current version of the Components of an Evaluation Manual (Appendix 2 contains the version that was current at the time of passage of this amendment). If a state chooses to allow mesh sizes which do not achieve a  $L_{25}$  of 12 inches, it can use conservation equivalency (e.g. longer closed seasons) to satisfy the mesh size requirement (see Table 4, Components of an Evaluation Manual). In the event that calculated mesh sizes do not directly correspond to manufacturers mesh sizes, the next higher commercially available mesh size shall be required.

The  $L_{25}$  mesh sizes as currently listed in Table 4 of the Components of an Evaluation Manual are based on the best available science. States are encouraged to conduct studies and present evidence to the Weakfish Technical Committee that would further refine the  $L_{25}$  mesh sizes and amend Table 4 of the Components of an Evaluation Manual.

### 3.3.4 Closed Seasons

States may determine timing of closed seasons of sufficient length to reach their mortality reduction goals. Any state proposing such a closure would have to show to the satisfaction of the Board that the closure will achieve the desired reduction in mortality.

### 3.3.5 Closed Areas

States may use area closures to account for required reductions in mortality. Any state proposing such a closure would have to show to the satisfaction of the Board that the closure will achieve the desired mortality.

### 3.3.6 Dealer, Vessel, Or Operator Permits And/Or Reports

To the extent possible, Amendment #3 will take advantage of existing state reporting and permitting systems. However, states are strongly encouraged to implement mandatory reporting and permitting systems that will provide adequate data for conducting weakfish stock assessments.

The newly created Atlantic Coastal Cooperative Statistics Program (ACCSP) will be utilized to the greatest extent possible when it is implemented. The ACCSP, begun in November 1995, is designed to implement a cooperative state\_federal marine and coastal fisheries statistics program that adequately meets the needs of fishery managers, scientists, and fishermen. The Commission, ASMFC member states (including the Potomac River Fisheries Commission and the District of Columbia), the 3 Atlantic coast Fishery Management Councils, and the National Marine Fisheries Service and U.S. Fish & Wildlife Service are partners in this program.

### 3.3.7 Per Trip Catch Limits

States may use per trip catch limits as an element of their proposals to reduce overall fishing effort.

### 3.3.8 Permit Limits

States may cap or reduce the number of permits issued to limit additional or reduce present participation in the fishery. In order to claim any mortality reductions, the state would have to demonstrate to the satisfaction of the Weakfish Management Board how any such measures meet their target mortality goals.

### 3.3.9 Bycatch Reduction Devices (BRDs) And Methods

Incentives, such as credits for reduced fishing mortality, will be allowed for use of bycatch reduction devices or methods in pound nets, haul seines, and other types of gears. States would have to present evidence to the technical committee and board supporting any claims of reduced mortality because of the use of these devices or methods. The Board would have to approve of any such proposals for states to receive credit for bycatch reduction.

One or more BRDs shall be required in all food shrimp (penaeid) trawl nets with a headrope length exceeding 16 feet and having mesh less than 2.5 inches stretched inside measurement (middle to middle knot measurement). All BRDs must be certified, properly installed, and demonstrate a 40% reduction by number or 50% reduction of bycatch mortality of weakfish when compared to catch rates in a naked net.

States are encouraged to continue research on gear technology and method that will result in further bycatch reductions.

### 3.4 MORTALITY ADJUSTMENTS

Any state that fails to completely implement its approved management program in a given fishing year will be required to modify its plan in the following year. The plan must be modified to reduce mortality by an amount equal to the overage incurred in the previous fishing year. The board, in consultation with the technical committee, shall decide the amount of additional reductions required.