

DRAFT

Recreational Measures Management Process

Council Staff White Paper

Disclaimer: This document is subject to change and considered draft at this time.

Council staff will update this document following the August 2nd RAP meeting and August 3rd Groundfish Committee meeting. See highlighted sections for discussion points.

Version 1
July 27, 2016



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1) Overview

The Council set improving the recreational measures management process as a priority for 2015 at its November 2014 meeting. The Council expressed concern about the process given dramatic changes in recreational management measures each year for Gulf of Maine cod and haddock. Some State Directors on the Council explained the difficulty in aligning their state measures with federal measures due to time constraints resulting from the late notice of the federal management measures in recent years. The for-hire segment of the recreational fishery raised concerns that the process negatively impacted their ability to operate their businesses effectively. Private anglers expressed concerns with a lack of outreach and timely information on the regulations.

The Recreational Advisory Panel (RAP) convened in January 2015 to begin working on the Council's priority. However, the Council discontinued work on this priority mid-year in 2015 to address commercial groundfish fishery monitoring. The Council then resumed this priority for 2016. Therefore, some concerns and issues raised in prior years may no longer be relevant.

At its June 2016 meeting, the Council added the recreational measure management process to the list of the range of alternatives for Framework Adjustment 56 to the Multispecies (Groundfish) fishery management plan (FMP), specifically to "revise the recreational management measures process".

2) The recreational measures management process for Gulf of Maine cod and haddock

Effective May 1, 2013, Framework Adjustment 48 (FW48) revised the recreational accountability measures (AMs) so that the Regional Administrator (RA) may proactively adjust recreational management measures to ensure the recreational fishery will achieve, but not exceed, its sub-annual catch limit (ACL). To the extent possible, any changes to the recreational management measures would be made prior to the start of the fishing year. The RA would consult with the Council, or the Council's designee, and would tell the Council, or its designee, what recreational measures are under consideration for the upcoming fishing year. If time allows, the Council would also provide its RAP an opportunity to meet and discuss the proposed management measures. These AMs require development in consultation with the Council, because the appropriate suite of measures (e.g., bag limit, minimum fish size, season) depends on the ACL specified.

In FW48, the Council provided guidance on its preference of measures that NMFS should consider if additional recreational effort controls are necessary to reduce GOM cod or GOM haddock catches, though this guidance does not restrict NMFS's discretion in selecting management measures that would best achieve, but not exceed, the recreational sub-ACL.

Cod: If additional effort controls are necessary to reduce cod catches, the Council's non-binding preference is that NMFS first consider increases to minimum fish sizes, then adjustments to seasons, followed by changes to bag limits.

Haddock: If additional effort controls are necessary to reduce haddock catches, the Council's non-binding preference is that NMFS first consider increases to minimum size limits, then changes to bag limits, and adjustments to seasons last.

3) Perspectives on the process

a) Recreational Advisors

January 2015 - The RAP met on the January 22, 2015 in Danvers, MA and provided initial feedback on the priority of improving the recreational measures management process. At the meeting, Council staff first presented background information on improving the recreational management measures process. Staff noted that this was the only Council priority in 2015 specific to the recreational fishery. Staff provided text from the Final Rule of FW48, and explained the latitude in setting AMs that was afforded to the RA through that action.

The RAP was asked to participate in an exercise of identifying ways to improve the recreational management process. The question was posed: *Why does the current recreational measures management process need improvement?* RAP members were asked to define what the problem is, and what the problem is not. An example was given, and the RAP took a few minutes to answer the question. Some responses were shared amongst the advisors in discussion and a list was compiled of written responses.

In general, responses can be grouped into six themes:

- Data and information
- Regulatory timeline
- Varying needs of user groups
- RAP and recreational fishery input into Council process
- Meeting schedule/timeline
- Regional fishery management

A complete list of responses is listed below:

1) What is the problem?

- Public involvement
- Data (need better data)
- Constant regulatory changes year-to-year makes it difficult to plan and run a business
- The dichotomy between private and for-hire fisheries
- Lack of flexible numbers to adjust regulations in a timely manner
- Wide scope of interests and agendas
- Need more meetings at times when decisions are being made for future fishing years
- More tools available from staff (i.e., models)
- Gives more accountability on future decisions
- No time for the RAP to recommend new ideas or management tools
- NEFMC is always in reaction mode

- Lack of research related to recreational issues
- The biggest problem is unstable regulations
- Not knowing the fishing regulations until the last minute
- No sustainability in the fishery
- Only one recreational member on the Council. Need more seats filled with recreational members.
- Recreational priorities keep being postponed, specifically limited access in the charter/party fleet
- Not enough time for the RAP to address and discuss issues before Council meetings
- Too much delay in setting recreational regulations for the fishing year which leads to not enough time to market trips to customers
- Lack of sufficient data and analysis for RAP meetings
- The recreational sector is not given any validity until there is a crisis
- There is little recreational support since the Council is controlled by commercial representatives
- Suggestions made by the RAP are seldom given consideration
- Timeliness of meetings vis-à-vis Council action
- Lack of a long term focus
- Lack of Council staff and RAP interactions
- Geography of meeting locations
- Regulations come out just before the start of the fishing year
- Lack of recreational fishing/party charter Council members
- RAP advice is rarely taken
- We need flexibility to manage the different sectors in a way that satisfies each of the group's needs
- Recreational data collection used in the process is inaccurate and results in dissatisfaction with regulations
- Lack of NEFMC recreational members
- RAP input is rarely listened to or influential in final decisions

2) What isn't the problem?

- The Northeast Fisheries Science Center's ability to analyze ideas
- RAP's willingness to work with staff
- Advice and direction of Council staff
- Recreational management is improving science and data
- Leadership within the RAP
- Respectful discussion surrounding a complex crisis situation
- That there is a RAP at all (having a Recreational Advisory Panel is a good thing)
- Council staff willing and helpful
- Regulations are explained clearly
- Basic information is available
- RAP can meet much further in advance

- We have data but it is not being used
- RAP leadership
- Wide ranging debates
- Selection of meeting facilities
- Staff commitment and accessibility
- The models that are used to manage good, but bad data is imputed

November 2015 - The next time the RAP discussed this priority was at its November 17, 2015 meeting in the context of recommending that the Council reinstate this priority for 2016. The RAP reaffirmed its interest in continuing discussions on improving the recreational management measures process. A RAP member thanked the Council and NMFS staff for holding the RAP meeting to discuss upcoming management measures much earlier than in previous years (i.e., in November rather than January). Others agreed that such a change in timing helped for the purposes of business planning. Another RAP member representing the for-hire sector indicated the earlier the better for holding meetings, as clients are already interested in booking for next season.

i) What has been addressed [FOR RAP DISCUSSION ON AUGUST 2]

ii) What has not been addressed [FOR RAP DISCUSSION ON AUGUST 2]

b) Groundfish Committee

i) What has been addressed [FOR COMMITTEE DISCUSSION ON AUGUST 3]

ii) What has not been addressed [FOR COMMITTEE DISCUSSION ON AUGUST 3]

4) Approaches to addressing current concerns [TO BE COMPLETED RAP/COMMITTEE DISCUSSIONS ON AUGUST 2/3]

- a) Regulatory process – via a Council action – what would be included as alternatives in FW 56?

- b) Outside regulatory process- are there steps that can be taken to address process concerns independent of FW 56?

5) Appendices (TO BE COMPLETED FOR VERSION 2)

- a) Comparison of recent timing on measures
 - i) Process in 2013
 - ii) Process in 2014
 - iii) Process in 2015
- b) RAP information
 - i) Summary of questions from the RAP regarding analysis and responses- 2014
 - ii) Summary of questions from the RAP regarding analysis and responses - 2015
- c) History of recreational measures
 - i) Gulf of Maine cod
 - ii) Gulf of Maine haddock
- d) Overview of the bioeconomic model
 - i) Recent presentations from SSB
 - ii) Recent data tables on catch and effort
- e) Correspondence