



New England Fishery Management Council
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MEETING SUMMARY

Recreational Advisory Panel
 DoubleTree by Hilton, Portland, Maine
 August 2, 2016

The Recreational Advisory Panel (AP) met on August 2, 2016 in Portland, Maine to: 1) discuss the recreational management measures process and make recommendations to the Groundfish Committee for measures to include in Framework Adjustment 56 (FW 56); 2) discuss recommendations to the Groundfish Committee regarding 2017 Council priorities; and 3) discuss other business, as necessary.

MEETING ATTENDANCE: Barry Gibson (Chair), Patrick Paquette (Vice Chair), William (Tim) R. Tower III, Kevin Twombly, Tom DePersia, Michael Pierdinock, Michael Plaia, Jonathan Sterrit, and Donald L. Swanson; Dr. Jamie Cournane and Maria Jacob (NEFMC); and Mark Grant and Moira Kelly (GARFO). In addition, approximately six members of the public attended, including Mr. Frank Blount (Groundfish Committee Chair) and Mr. Howard King (MAFMC).

SUPPORTING DOCUMENTATION: Discussions were aided by the following documents and presentations: 1) meeting notice; 2) meeting memo; 3) meeting agenda; 4) Framework Adjustment 3; 5) Draft action plan for FW 56 version 1, July 22, 2016; 6) Council staff Draft white paper on the recreational management measures process, July 27, 2016; 7) Presentation by John Foster (NOAA): Marine Recreational Information Program (MRIP) presentation, August 2, 2016; 8) Staff Presentation: Summary of the draft white paper on the recreational management measures process; 9) Questions from Advisors on MRIP; and 10) Correspondence.

KEY OUTCOMES:

- The Recreational Advisory Panel (RAP) requested that regulations for the recreational fishery be made available sooner, and suggested February 1st, and the RAP would convene prior to the November Committee/Council meeting.
- The RAP requested that an alternative be developed in FW 56 that considers a management process to allow for an increase in fishing opportunity in wave 2 (Mar-Apr) if there is a projected underage known by end of wave 5 (Sept-Oct) of the same fishing year.
- The RAP requested that in-season fishery performance based on VTRs be discussed at its November meeting.

Mr. Gibson began the meeting at 9:00 am by introducing the AP members and the agenda. There were no suggested changes to the agenda.

Presentation on the Marine Recreational Information Program, John Foster

Mr. John Foster presented information on Marine Recreational Information Program (MRIP) estimation and the data used to estimate catch and effort information. The catch per angler estimates are derived from the Access Point Angler Intercept Survey (APAIS), and the effort information regarding total

number of angler trips is derived from the telephone survey, the 'for hire' survey, and the APAIS. Vessel trip reports (VTRs) are only incorporated into MRIP estimates for charter and head boats during final estimation, though this may change in the future. The Coastal Household Telephone Survey (CHTS) only covered coastal counties within the coastal states, while the fishing effort survey collects information from a broader range of recreational participants by using a mail survey to account for bias in past data system where many individuals no longer utilize land lines. The intercept survey results are used to expand the effort estimate derived from CHTS. Rate of response since using the mail survey is approximately four times higher than the telephone survey.

MRIP estimates were improved in 2013 through improved temporal coverage, and predefined sampling clusters were used to eliminate sampler bias from the estimates. The large outliers that can drive the estimates can be improved in the future with sufficient sample sizes. Sample weights are used to calculate mean catch per trip and total number of angler trips. The weighted estimation approach is standard practice, and was recommended by the National Research Council review. Use of the new fishing effort survey methodology for estimating catch is expected to take place in 2017, and covers the entire coastal state.

Questions and Discussion on the Presentation

Mr. Sterrit asked about the reporting schedule for those conducting in-person surveys at the docks. Mr. Foster explained that the sample selections are in place for a one-month period, and high activity sites are likely to be drawn more frequently than low activity sites when the sample size is low. In addition, the sampler is present at sites for a particular time interval (e.g., 8am-2pm). State partners provide the activity level for each site, which is updated on a monthly basis.

Mr. Plaia asked for rationale regarding the use of outliers that greatly impact the final catch estimation. Mr. Foster stated that there is no solution for how management or assessment scientists would use the estimates provided. The new survey methodology should address some of these concerns with large outliers as well. Mr. Plaia stated that the final estimates are treated as the best available science by the New England Fishery Management Council (Council, NEFMC) and the outliers can have a large impact for recreational regulations as they greatly skew the estimates. Mr. Foster agreed that there should be improvements to the estimates for charter and private boats.

Mr. Blount stated that precision estimates for New England is based on a two-year time period, and asked whether a calendar year estimation would improve the results. Mr. Foster stated that he is unsure whether this would significantly improve the fishing year estimates. Mr. Foster also confirmed that the sample weights are calculated differently for catch estimates, based on time of day and weekend versus weekday.

Mr. Steinback stated that the preliminary catch estimates are used to implement recreational measures, and asked for details regarding the plan to incorporate VTR information into the preliminary estimates. Mr. Foster stated that it takes some time to translate the VTR data to be incorporated into the catch estimates, and that the infrastructure to allow this data to be incorporated into preliminary data without delay is underway and not yet complete. One tool being explored is electronic monitoring. Getting an idea on how the preliminary and final VTR estimates would differ is important as well.

Public comment

Mr. Scola stated that the lack of participation due to the regulations should be strongly considered when investigating differences in survey results. Mr. Foster stated that although Mr. Scola's rationale may

attribute to the trend, it is a separate issue than that being addressed by the comparison work currently underway.

Agenda Item 2: Presentation on Framework 56 Draft Action Plan, Dr. Jamie Cournane

Dr. Cournane presented the Draft Action Plan and the timeline for the Council to take action on the FW 56 specifications and management measures. Revisions in FW 48 and discussions by the advisors is summarized within the draft white paper on recreational management measures.

Questions on the presentation

In response to Mr. Pierdinock's question, Dr. Cournane stated that the quota adjustments for the US/CA shared agreement with Canada, which would adjust the commercial fisheries allocation for eastern and western Georges Bank area and overall Georges Bank yellowtail flounder quota would be specified and in place for May 1. However, these changes in quota would not impact the recreational fishery Gulf of Maine cod and haddock quota. There are no changes to the Georges Bank cod allocations.

Mr. Paquette asked whether these recreational changes would be effective in 2017 or 2018. Dr. Cournane stated that it depends on the proposed changes to the regulations. The regulations may be effective in May 1, 2017. For example, the group may consider a mechanism to allow the fishery to increase effort later in the fishing year based on projected catch evaluation mid-year if the recreational fishery is likely to under-harvest its quota.

Mr. Grant affirmed that the agency has discretion to alter the recreational measures mid-year based on his interpretation of the regulations for the proactive accountability measure for the Gulf of Maine stocks. Mr. Paquette asked whether the season could open one week earlier if the fishery has unharvested sub-ACL. Dr. Cournane stated that regardless of whether this is currently permissible, it could be explored through proposed changes in recreational management. In addition, the Council may want to give direction on an approach to allow for additional flexibility in harvesting measures. Mr. Paquette stated that the fishery only benefits if the season start date is earlier. In addition, the risk for exceeding the quota should be analyzed as well.

Mr. Grant clarified that 15 percent of discarded catch is assumed dead for cod in the Gulf of Maine recreational fishery. The number of discards for cod and haddock, MRIP provides catch and discard information. Then, a 15 percent rate is assumed to be dead for cod discards, and 50 percent for haddock discards. If all of the MRIP surveys stated that 0 percent of the fish is discarded, then the results would show zero discards. In the commercial fishery with at-sea monitoring, the discard rates is generated from at-sea observations. The clarification was made that the projections looking forward is based on past catch rate (in prior years), not real-time catch estimates throughout the year.

Agenda Item #3: Recommendations on Recreational Management Process

AP Discussion on Management Issue #1 – Timing for final measures for the recreational fishing year

The AP members expressed the need to have the final rule available sooner, to allow consumers to plan fishing trips in a timely fashion. RAP members also expressed the need to meet earlier in the year to develop measures for the next season, and receive a response from the Regional Administrator earlier than the current timeline.

Mr. Grant clarified that recreational measures for AMs remain in place until changed, and FW 55 implemented identical ACLs for fishing year 2016 and 2017. Mr. Grant stated that if MRIP data is available in November or December, it would take several weeks to know whether the ACL has been exceeded.

Mr. Blount stated that if the projections are correct, it may be possible to increase the quota for the upcoming fishing year because the catch is likely to be lower than the catch limits. Mr. Paquette stated that there are two possible ways to address the under-harvesting issue through action alternatives: (1) set recreational specifications for multiple years; or (2) alter measures in-season, if there is a substantive amount of unharvested ACL being projected, and liberalize catch limits to open next season one week earlier than usual. Dr. Cournane explained that projections more than one year out may add uncertainty and may lead to more conservative catch limits for multiple years.

Motion 1 (Sterrit/Plaia): That the Recreational Advisory Panel requests that regulations for the coming fishing year be known by January 1st.

Rationale: As an example for FY 2017 with a May 1, 2017 start, the RAP would prefer to know the regulations by January 1, 2017. This would help with business planning; planning is done on a calendar year basis.

AP Discussion

Mr. Paquette stated that the estimates for the last wave may not be completed in time for January 1st. Information is typically ready in mid-December, and it may not be feasible for these measures to be in place for January 1st. Mr. Blount stated that in-season adjustments could also terminate the fishing year earlier than usual, if there is an overage. Mr. Blount stated that the MAMFC does a projection for the last wave due to low fishing effort in November and December, and the final numbers are not known until later, which may change these numbers. Realistically, RAP meetings would not be possible until early January due to the quick turn-around for data being finalized (wave 6 catch could be projected).

Dr. Cournane stated it would not be possible to look at 3-year specifications before May 1st, so there is less flexibility to achieve this in years when specifications are set. However, at least some information would be known, so the RAP could hold its meeting to look at the information, and information from other waves added to the estimates later on. Ms. Kelly clarified that Wave 4 data is available in October, Wave 5 in December, and Wave 6 in February.

Motion 1a as friendly amended (Sterrit/Plaia): That the Recreational Advisory Panel requests that regulations for the coming fishing year be known by February 1st.

Rationale: The RAP feels this is more feasible based on a discussion of when wave information is available and the RAP could convene and make recommendations to the Committee/Council.

AP Discussion

Mr. Pierdinock stated that the RAP could meet December 15th to review preliminary numbers, and recommend specifications for February. In addition, VTRs could be incorporated earlier in the data process (i.e., as they are available).

Motion 1a to amend (Pierdinock/Sterrit): That the Recreational Advisory Panel requests that regulations for the coming fishing year be known by February 1st. The RAP would convene prior

to the November Committee/Council meeting to discuss and recommend measures for the coming fishing year.

Rationale: Assumptions about some of the wave data would need to be made for projections. VTRs could be incorporated earlier in the process as these are available sooner than other data streams. Correlation between MRIP and VTR data could be examined as well.

Motion 1a to amend **carried** unanimously on a show of hands 8/0/0.

Motion 1a as the main motion **carried** unanimously on a show of hands 8/0/0.

AP Discussion

Mr. Blount agrees with concept, and stated that the NEFMC meets November 15-17th, and Mid-Atlantic Fishery Management Council (MAFMC) meets December 13-15th. So, the Council could look at projected catches in November using logbook data, and NMFS would not be able to verify logbook data until mid-December. Therefore, the RAP would meet prior to the November Council meeting. Another option is a model to show correlation for 2-3 years for logbook and MRIP data.

Mr. Steinbeck stated that the wave 5 data is available in mid-December, so two-year setting sounds reasonable. If using the model, projection estimates would likely be ready in January. August and September data would need to be incorporated in the projections because cod fishing is available this year, so looking at data in prior years may not be a feasible option for the projected estimation.

Mr. Steinbeck stated that another option would be to ask for regulations to be known for first half of the fishing year (opening day through July/August). Mr. Paquette stated that there is significantly more fishing in 2016 compared with 2015 for haddock in particular.

In response to Mr. Paquette's request for staff input, Dr. Cournane stated that the staff would look at the specified timeline proposed, determine the management risk, and specify what information would not be available for the estimates, and clarify what the assumptions would be based on missing data. Relying on data that is two years old for projections could mean that the number set is over or under what it should be.

Mr. Grant stated that it is worth flushing out the details regarding mid-season adjustment once real catch numbers are available to indicate that catch limits are over or under what it should be. Under the system of ACLs and AMs, the agency needs a clear understanding regarding effective dates for AMs and means to take meaningful action to prevent future overages. Final data for all waves except the April fishery is known by the time the final rule is available.

AP Discussion on Management Issue #2 – what to do with unused quota

Motion 2 (Paquette/Plaia): That the Recreational Advisory Panel requests that an alternative be developed in FW 56 that considers if by end of wave 5 (Sept-Oct) that if there is a projected underage of X% that the recreational management measures process allow for an increase in fishing opportunity in wave 2 (Mar-Apr) of the same fishing year.

Rationale: To allow for regulations that are conservative to avoid exceeding the quota to be developed, but in the case when there is a projected underage the process would allow for some flexibility to achieve the quota if possible at the end on the fishing year. HMS regulations do something similar.

Motion 2 **carried** on a show of hands 6/2/0.

Mr. Paquette stated that there should not be an interrupted fishing year. Having data to summarize catch trends prior to meeting to make recommendation on specifications is important.

Motion 3 (Twombly/DePersia): That the Recreational Advisory Panel requests that in-season fishery performance (based on VTRs) be discussed at the November RAP meeting.
Motion 3 **carried** unanimously on a show of hands 8/0/0.

Agenda Item #4: Recommendations regarding 2016 Council priorities.

Motion 4 (Steritt/XX): To remove Limited Access for the party/charter recreational fishery from the list of Council priorities.
Motion 4 **failed** for lack of second.

Dr. Courneane clarified that the scoping process allows for information gathering from stakeholders. Those results would be discussed at the AP and Committee meetings. If scoping were to occur, the AP recommends scoping take place sometime between January and April 15th at beginning of week, but January and February are preferred. Mr. Blount clarified that the AP can review scoping results and discuss recommended measures based on scoping results.

Motion 5 (Plaia/Twombly): The RAP recommends that the Council work on as a priority - mandatory charter/party electronic reporting (e.g., eVTRs) and coordinating with ASMFC and MAFMC in 2016 or in 2017 on their efforts regarding electronic reporting.
Motion 5 **failed** on a show of hands 3/3/2.

Presentation on FishRules Application, Scott Steinbeck, NEFSC/NOAA

Mr. Steinbeck presented information on FishRules application for mobile phones, which is used to inform fishers on the regulations. NOAA has sponsored the development of the application through a contract. Mr. Steinbeck clarified that the application includes discrepancy between state and federal regulations, but does not address discrepancies between the different states. The application includes a disclaimer that it is the angler's job to know the regulations.

Other Business: None.

The meeting adjourned at 4:40 pm.