

Supplemental Guidance Document

Proposed amendments to “Part 3 – Finfish”

NOTE: This document serves as supplemental guidance for the proposed regulations “Part 3 - Finfish”. When reviewing the proposed rule, please use this document to formulate comments on distinct elements of the program. Thorough and concise comments will aid and inform the decision-making process.

1. **Recreational Black Sea Bass Management (section 3.9.1):**

- Considerations:
 - Black sea bass is not overfished; overfishing is not occurring
 - Fishing mortality was estimated to be 0.39 in 2019, below the F threshold reference point= 0.46
 - Spawning Stock Biomass (SSB) estimated to be 65.6 m lbs (29,769 mt) in 2019, 2.1X the SSB reference point = 31.8 m lbs (14,441 mt)
 - 2018 year class estimated ~79.4 million fish, above average
 - Recreational catch expected to take reductions due to Recreational Harvest Limit (RHL) being exceeded in previous years
 - MAFMC requiring coastwide reduction in 2022; anticipated 28% quota reduction for RI
 - To provide context for the management measures that may be changed to meet required harvest reductions, the Division is providing the following estimates for reductions from individual regulation changes (please note that management measures are not additive, as interaction between different measures must be accounted for):

Management Measure	Estimated reduction
Change minimum size from 15” to 17”	30%
Bag limit = 2 fish all year	28%
Open later: August 4 th	28%
Close earlier: October 1 st	28%
Change minimum size from 15” to 16”	11%
Reduce bag limit June-August from 3 fish to 2 fish	7%
Reduce bag limit Sept-Dec from 7 fish to 4 fish	8%
Open later in the summer: July 8	7%
Close earlier in the winter: December 15	2%

- Proposals submitted:

- **Industry Proposal # 1:**

- Estimated 28% reduction, FMP compliant

Min. Size	Season	Poss. Limit
15" 16"	Jan. 1 – June 23 1	Closed
	June 24 2 – Aug. 31	3 2 fish
	Sept. 1 – Dec. 31 Nov. 30	7 3 fish

- **Industry Proposal # 2:**

- Estimated 28% reduction

Mode	Min. Size	Season	Poss. Limit
General Rec. (other than P/C)	15" 16"	Jan. 1 – June 23 1	Closed
		June 24 2 – Aug. 31	3 2 fish
		Sept. 1 – Dec. 31 Nov. 30	7 3 fish
Party/Charter	15" 16"	Jan. 1 – June 30:	Closed
		July 1 – Dec. 31	6 fish

- **Division Proposal # 3:**

- This proposal is not the sole option being considered for support by the Division; it was constructed as one means of meeting the expected 28% reduction while maintaining management measures as close to status quo as could be achieved.

Min. Size	Season	Poss. Limit
15" 16"	Jan. 1 – June 23 20	Closed
	June 24 21 – Aug. 31	3 2 fish
	Sept. 1 – Dec. 31	7 3 fish

2. **Recreational Scup Management (section 3.10.1):**

- Considerations:

- Scup is not overfished; overfishing is not occurring relative to BRPs
- Fishing mortality was estimated to be 0.136 in 2018, below the threshold F reference point = 0.20

- SSB estimated to be 389 m lbs in 2019, above the updated SSB reference point = 198.46 m lbs and above the SSB threshold = 99.23 m lbs
- 2017-2019 year classes estimated to be below average
- RHL of 6.08 m lbs set for 2022, a <1% increase from the 2021 RHL
- MAFMC is requiring reductions for 2022 due to the RHL being consistently overharvested for several years
- An increase in minimum size by 1", coast wide, has been approved by the Council and Board
- **Division Proposal:**
 - Amend minimum size from nine inches (9") to ten inches (10") for general recreational fishery; and from eight inches (8") to nine inches (9") for special shore sites for compliance with FMP

3. **Commercial General Category Striped Bass Management (section 3.11.2):**

- **Considerations:**
 - RI 2022 commercial quota = 148,889 lbs
- **Division Proposal:**
 - Amend opening date in the 1st sub-period from May 20 to May 19 so as to not open on a closed day of the week (current closed days = Friday, Saturday, Sunday)
- **Industry Proposal # 1:**
 - Remove gillnet prohibition on striped bass
 - Considerations: Gill netters encountering striped bass resulting in unnecessary discards
 - Provide for incidental catch only with an equivalent poundage of other species required to be on board the vessel
- **Industry Proposal # 2:**
 - Change opening date in 1st sub-period from May 20 to June 1
 - Change opening date in 2nd sub-period from July 1 to July 6
 - Change sub-period allocations from 60/40 to 50/50
 - Change floating fish trap rollover provision to roll 50% of any remaining floating fish trap allocation on September 1.

4. **Recreational Summer Flounder Management (section 3.12.2):**

- **Considerations:**
 - The summer flounder stock is not overfished; overfishing not occurring relative to BRPs
 - Fishing mortality was estimated to be 0.340 in 2019, below the F threshold reference point = 0.422

- Spawning Stock Biomass (SSB) estimated to be 1.05 m lbs in 2019, below the SSB target reference point = 121.7 m lbs but above the SSB threshold = 61 m lbs
- The 2019 year class is currently estimated to be about 49 million fish, below the average of 53 million fish.
- Recreational Harvest Limit (RHL) of 10.36 m lbs set for 2022; a 25% increase compared to the 2021 RHL
- Anticipating ability to take a 16.5% liberalization
- Two industry proposals submitted:
 - **Industry Proposal # 1:**
 - Amend minimum size from nineteen inches (19") to sixteen inches (16") for one (1) fish only; other five (5) fish to remain @ nineteen inch (19") minimum size. This would negate the need for special shore sites for summer flounder.
 - **Industry Proposal # 2:**
 - Amend minimum size from nineteen inches (19") to eighteen inches (18")

5. **Recreational Tautog Management (section 3.13.1):**

- Considerations:
 - Tautog is not overfished, overfishing is not occurring in the MARI region
 - Fishing mortality (F) estimated to be 0.23 in 2020; below the F threshold reference point = 0.49
 - Spawning Stock Biomass (SSB) estimated at 14.9 million lbs (target = 10.09 million lbs; threshold = 7.57 million lbs.)
 - No change in quota for 2022
- Two industry proposals submitted:
 - **Industry Proposal # 1:**
 - Amend possession limit for Oct. 15 – Dec. 31 season from five (5) to four (4) fish
 - Provide for one (1) fish with a maximum size of twenty-one inches (21"). Remaining fish of the possession limit remain at sixteen inch (16") minimum size
 - **Industry Proposal # 2:**
 - Amend Party/Charter vessel limit

6. **Commercial Tautog Management (section 3.13.2):**

- Considerations:
 - See recreational considerations

- Two industry proposals submitted:
 - **Industry Proposal # 1:**
 - Amend minimum size from sixteen inches (16”) to fifteen inches (15”)
 - Adopt a maximum size of nineteen inches (19”)
 - **Industry Proposal # 2:**
 - Amend possession limit for each sub-period from 10 fish/vsl/day to twenty-five (25) fish/vsl/day with the fishery closed on Sunday, Tuesday, Thursday, and Saturday each week