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Maryland Management of Striped Bass

Its experience with sector separation of the recreational fishery

Presentation at the Gulf of Mexico Fishery Management Council Sector Separation Workshop
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I am here at the invitation of the Gulf Council to tell you about Maryland's experience in the early 1990s with separating the recreational fishing sector into charter boat and private recreational sectors as we reopened the striped bass fishery. The sectors would have separate harvest quotas and different seasons and creel limits. Both were well developed sectors with highly involved interest communities. We managed the two sectors for five full seasons before merging the two again. I would like to provide you with the management background of the fishery, tell a little about the process and the progress of the fishery and the outcome of this particular management action.

Striped bass on the Atlantic Coast are an anadromous species with major spawning rivers in New York, Virginia and Maryland with lesser production in North Carolina, Delaware, Connecticut and Maine. This mix of river specific populations is fished on as it ranges along the coast from Maine to North Carolina primarily in state waters. A coastal management plan was approved by the Atlantic States Marine Fisheries Commission (ASMFC) in 1981 to attempt to stem a decline in catches that began in the late 1970s. The federal government got involved in 1984 with the passage of the Atlantic Striped Bass Conservation Act which provided for a federal moratorium on striped bass harvest in any state that did not abide by the coastal ASMFC plan. The striped bass fishery in the EEZ was closed sometime in the 1980s. Closure of the EEZ simplified enforcement and management and was another method of controlling the current fishing mortality.

Although benefitting from federal money in research and backed by the Striped Bass Act, the states through ASMFC are responsible for management. Through the 1980s the 12 involved jurisdictions did a

combination of closures, size changes, creel limits and quotas to reduce fishing mortality and promote spawning stock recovery. In 1985, Maryland, which had been one of the primary harvesters of striped bass, enacted a moratorium on harvest. As the stock recovered, increased reproduction triggered management change criteria in the plan and allowed reopening and changes in size limits. In anticipation of this reopening, in 1987 Maryland formed a Striped Bass White Paper Committee composed of conservation, charter boat fishing, recreational fishing and commercial fishing interests to develop characteristics of a new fishery. Allocation, seasons, sizes, permits, allowable practices and quotas were all on the table for discussion.

Guiding the discussion were three new laws from the Maryland General Assembly. Perhaps the most important directed that when the striped bass fishery was reopened it would be equally available to sport and commercial fishermen. A 1988 law creating Maryland fishery management plans required that fishery management decisions shall not be made with economic allocation as their sole basis. In licensing law, a two year waiting period was established for obtaining a commercial fishing or charter boat license. Total harvest quotas were developed from ASMFC requirements for maintaining safe levels of fishing mortality and allowing stock to continue to grow.

Although the legislature had simplified the discussion on allocation by its requirement that the reopened fishery be shared equally, in the White Paper Committee discussions, charter boat representatives desired to be recognized as a separate fishing constituency. They considered themselves commercial in the sense that they got paid to take people fishing but recreational in that they were affording access for ordinary citizens. Everyone recognized that the initial quotas of the reopened fishery would be small and seasons and creels limited. The charter industry argued that they needed to have a stable product to sell in terms of a predictable season in order to do advance booking of trips and a large enough creel to attract customers. They wanted a predictable share that they could control as a group. Sport fishermen felt that the huge number of small boat fishermen deserved the lion's share of quota.

In an attempt to develop a quantitative, rational basis for establishing the level of share, participation in terms of numbers of trips or people, pounds of catch and economic activity were all examined. Strictly comparable data on proportion of catch and relative participation by recreational and charter sectors were scant and not entirely reliable. The Marine Recreational Survey (MRFSS) only got underway in the early 1980s and data from those early years were weak as the survey methodology matured. Early MRFSS estimates were also skewed by the effects of the Maryland striped bass management changes and the moratorium. In Maryland, some of the early estimates of catch and participation included the Atlantic Coast fishery and were not useful for estimating catch and participation in the Chesapeake striped bass fishery. Relevant economic data were scarce and only marginally applicable.

From a 1976 Bay sportfishing survey, we estimated that 18% of the sport fishing hours were expended by charterboat fishermen. From this same data we estimated that 26% of the poundage of striped bass was caught by charter fishermen. Other information sources placed charter catch at only 5% of total recreational catch. The arguments over insufficient data, bad data, missing data and data that were 12

years old lead to a point of stalemate on creating a charter quota. It was evident that charter boats were a relatively small portion of effort with a large effect on harvest.

Neither the commercial or recreational sector was willing to be singularly responsible for supplying charter quota. The committee had been meeting for a period of months and the time was approaching that decisions must be made, laws amended and regulations written if the fishery was to be reopened in 1990. A compromise was suggested by the Maryland Fisheries Service to take 7.5% of the quota granted to each of the sectors and give it to charter to structure their own fishery. The compromise was further debated, adopted by the committee, approved by the Department and regulations were to be written to form up the fishery with charter having a 15% share of total quota.

Quota was calculated for the Maryland fishery and approved by the ASMFC Striped Bass Technical Committee. The ASMFC Striped Bass Management Board approved the Maryland fishery plan. The fishery opened with a great deal of optimism on October 5, 1990 with a planned 34 day season. An analysis of anticipated pressure and catch rates suggested that a comparatively larger daily creel was necessary for charter in order for them to achieve the quota in the season provided. Seasons were similar and physical and seasonal access to the fishing grounds was not an issue.

Fisheries Service put into place an intensive catch monitoring and harvest projection program. A telephone survey of permit registered fishermen estimated weekly fishing effort and an access point survey of daily catch per fishermen provided estimates of catch per trip. Cooperative log book records and an aerial survey of distribution and number of fishing boats provided confirmation of survey estimates. Charter boats were required to obtain a striped bass permit and were required to report weekly on daily activities. Fishing pressure was intense and the fishery closed in 15 days for recreational and 21 days for charter as quotas were projected to be met early in 1990.

Each year's data was analyzed extensively; changes were made in monitoring practices, although the basic survey structure remained, and catch projection methodology improved annually. Maryland kept the advisory groups well informed of the results of monitoring and changes in stock status. As stock condition improved, quotas rose and seasons became more liberal. As the years passed, season lengths began to converge and in 1995, with agreement from the advisory committees, the differences in rules between the two sectors disappeared. The two quotas were recombined into a single quota for this larger recreational sector. For the charter fishermen, they now had access to the relatively larger quota with an equal sized season. For the recreational fishermen, removal of the relatively more liberal charter creels and seasons removed a source of conflict. For Maryland Fisheries, management was simplified and time saved, enforcement was improved as people understood the unified, simplified rules, monitoring became less expensive and the job of managing differences between the two constituent groups was reduced.

I have not included in this analysis the spring or trophy season fisheries which began in May 1992 with a 36 inch size limit at a one fish per season under a very strict numerical quota. Recreational and charter rules were always the same even as this season evolved with increasing quota, increasing days, larger

open areas and a diminishing size limit. The Maryland ocean sport fishery has also been excluded from this analysis as recreational and charter rules there were the same and moved in lockstep.

There were several reasons for the eventual elimination of different charter and recreational rules. As stocks recovered, quotas increased and seasons expanded. The probability of an early season closure was eliminated and enabled charter captains to make long range bookings. The possibility of achieving the relatively smaller charter harvest quota would be eliminated as the charter fishermen are now entitled to the very large combined recreational and charter quota. Charter fishermen are able to plan long range and disagreements about differences in season length or possession limits disappear.

All of us know in fisheries management that there is never a single management regime with all its details that will fit all fisheries, in any state, in any season, for all user groups. However, lessons that one might take from this Maryland example is that it takes time to resolve problems, rebuilt stocks can make everybody happy, an open mind is an asset in discussion, compromise works and continuing to talk pays off.

Learning from experience is equal parts science and politics. Monitoring fish stocks and determining the economic effects of management practices are essential. You must put talent and money into surveys. Without information to guide your next step, you may be guided by emotion, impression and personal anecdote and the other guy may just have a better story. It is as cheap to fund a good survey as it is to have to frequently convene meetings to talk over differences. One is better off discussing rational practices provided by good information. As part of your process, identify the information gaps that are slowing progress, find a way to gather the data and move on the information when it becomes available. There will be times when data supporting action is absolutely unavailable in a timely fashion and it is at this time that communication and compromise are key to solutions.

The political part encompasses being inclusive of representatives of the interest groups, listening, communicating honestly with your constituents and respecting the person that holds an opposite view. Long range goals need to be set and objectives supporting the goal need to be a reminder item at every meeting.