

WITEK: MRIP (from page 36)

So first, let's look at the data.

The first of New Jersey's four different sets of black sea bass regulations fell during Wave 3, May and June. The PSE for New Jersey's 2017 black sea bass landings during that wave (we have to look at 2017, because that's what the 2018 regulations were based on) was 41.1, a level of precision far worse than that of the annual estimate, and far, far worse than the coastwide figure. The PSE for Wave 4, July and August, at 23.5, was much closer to the precision of the annual estimate, although still far from stellar. Things went downhill from there. For Wave 5, September and October, the PSE was 58.7—so bad that NMFS highlighted it in red as a warning—and for Wave 6, November and December, the PSE dropped off the red scale to a still-imprecise 36.9.

Those sort of numbers provide little reason to believe that regulations based on such imprecise landings estimates will come close to achieving their goals.

Yet, while New Jersey provides the worst example of regulations based on imprecise estimates, the states to its north, most of which also changed regulations from wave to wave and/or from mode to mode, also based rules on data of dubious precision. New York's 2017 Wave 3 estimate had a PSE of 73.1; it's Wave 6 estimate, with a PSE of 66.5, almost certainly seriously overestimated that state's landings, and had regulatory implications not just for the state, but for the whole northern region.

Things don't have to be that way.

There are two very obvious ways to rein in conservation equivalency run amok, and the related misuse of MRIP data.

The first is so obvious that it's surprising that the ASMFC hasn't adopted it: more effective regional management.

In 2004, the ASMFC adopted Addendum XI to the Summer Flounder, Scup and Black Sea Bass Management Plan. That addendum **grouped the four states then responsible for 97% of the recreational scup landings—Massachusetts, Rhode Island, Connecticut and New York—into a single region.** All states in the region would share the scup resource, and would be required to adopt the same size limit, bag limit and season (although they had some flexibility in when they would set the

special 60-day “bonus season” that gave anglers fishing from for-hire boats a higher bag limit than others). It was still a form of conservation equivalency, but one that did not compromise the precision of landing estimates by permitting states in the region to adopt their own, supposedly equivalent regulations.

As a result, the recreational scup fishery has been stable for well over a decade, with regulations changing to adapt to stock health, but no longer whipsawing from year to year.

The ASMFC also had brief success with recreational management of summer flounder, but that quickly died when New Jersey was allowed to exit the region it once shared with Connecticut and New York, in order to accommodate the supposedly different fishery in Delaware Bay, and subsequently went out of compliance not only with regional regulations, but with the ASMFC's summer flounder management plan.

The other solution to the problems created by conservation equivalency would be to hold states accountable for the effectiveness of their supposedly “equivalent” regulations. As recently noted in a blog that appeared on the Saltwater Edge website, there should be, **“No [conservation equivalency] proposals without payback provisions the following year.”**

It just makes sense.

If a conservation equivalency proposal really is equivalent to the measures in a management plan, no overage should ensue. But if the conservation equivalency plan is somehow wanting—if, say, it was based on imprecise data—then it's only right that the state that proposed it make restitution for any harm to the stock.

I can hear state representatives complaining now, saying that the state-level data isn't good enough to support payback plans. And I agree.

But if that's the case, the same state-level, wave-level and/or mode-level data isn't good enough to support conservation equivalency, either.

Charles Witek, from Greenwich CT, has spent over 50 years on the water, and is a well-known author and blogger. Witek said, “I have realized that without strong fisheries laws and effective conservation measures, the future of salt water fishing, and America's living marine resources, is dim.”



CAPT. JIM SAYS
GET HOOKED

508-375-3464

WESTPORT POINT
Fishing
Charters

westportpointcharters.com

No alcohol allowed aboard the boat



Carol J Charters
401-207-6947
CarolJCharters.com



Safe, affordable, family friendly