

## INTERSTATE FISHERIES MANAGEMENT PROGRAM OVERVIEW

# *Black Sea Bass*

### Species Range

US/Canadian Border – North Carolina (north of Cape Hatteras); the South Atlantic Council manages the southern range: North Carolina (south of Cape Hatteras) – Florida



### Management Unit

Black sea bass is managed jointly by the Mid-Atlantic Fishery Management Council (EEZ) and the ASMFC Summer Flounder, Scup and Black Sea Bass Management Board (state waters).

### Stock Status

The most recent research track stock assessment for black sea bass was peer reviewed in December 2023. The assessment modeling framework was a multi-region extension of the Woods Hole Assessment Model (WHAM) that partitioned the resource into two spatial sub-units separated at approximately Hudson Canyon.

A management track assessment that incorporated fishery-dependent and -independent data through 2023 in the spatially explicit WHAM assessment model was peer reviewed and accepted in June 2024. The 2024 management track assessment found that the black sea bass stock north of Cape Hatteras, North Carolina was not overfished and overfishing was not occurring in 2023. Spawning stock biomass (SSB) in 2023 was 54.2 million pounds, 219% of the biomass target (i.e., SSBMSY proxy = 24.7 million pounds). The fully selected fishing mortality was estimated to be 0.82, 77% of the overfishing threshold proxy (i.e., FMSY proxy = 1.07). Age-1 recruitment (R) in 2023 was estimated to be 60.2 million fish, above the 10-year (2014-2023) average of 39.2 million fish.

### Involved States and Jurisdictions

MA, RI, CT, NY, NJ, DE, MD, PRFC, VA, NC, NMFS, USFWS

### Active Boards/Committees

ASMFC Summer Flounder, Scup, and Black Sea Bass Management Board; Mid-Atlantic Fishery Management Council Summer Flounder, Scup, and Black Sea Bass Committee; ASMFC Technical Committee (evaluates and recommends state-specific management measures); Joint Monitoring Committee (recommends yearly specifications for commercial and recreational measures to joint Management Board); ASMFC Plan Development Team (develops draft amendments and addenda); ASMFC Plan Review Team (reviews state compliance reports and

FMP Review); SAW Southern Demersal Working Group (stock assessment committee: NMFS Northeast Fisheries Science Center is the lead for the Southern Demersal Working Group); Summer Flounder, Scup and Black Sea Bass Advisory Panel.

### **Chairs**

Board, Chair – Nichola Meserve (12/2023); Vice-Chair – John Maniscalco  
Technical Committee, Chair – Alexa Galvan (01/2022), Vice-Chair – Vacant  
Advisory Panel, Chair – Vacant

### **Staff Lead**

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### **Management Plan History**

#### **[Fishery Management Plan for Black Sea Bass \(October 1996\)](#)**

The Commission and MAFMC adopted the Black Sea Bass Fishery Management Plan into the Summer Flounder FMP through Amendment 9.

The objectives of the FMP are to:

- Reduce fishing mortality in the black sea bass fishery to ensure that overfishing does not occur.
- Reduce fishing mortality on immature black sea bass to increase spawning stock biomass.
- Improve the yield from the fishery.
- Promote compatible management regulations between State and Federal jurisdictions.
- Promote uniform and effective enforcement of regulations.
- Minimize regulations to achieve the management objectives stated above.

#### **Amendment 12 (1998)**

Specifically, this amendment revised the overfishing definitions for summer flounder, scup, and black sea bass and addressed the new and revised National Standards relative to the existing management measures. In addition this amendment added a framework adjustment procedure that allowed the Board to add or modify management measures through a streamlined public review process (addenda).

#### **Addendum IV (January 2001)**

Under this Addendum, the process contained in the Black Sea Bass FMP was applied to the summer flounder and scup fisheries as well. The Commission continues to participate in the monitoring committee processes as under the current arrangement. However, upon the recommendation of the relevant monitoring committee and joint consideration with the Council, the Board makes a decision concerning what state regulations will be, rather than a recommendation to NMFS. The states are then responsible for implementing the Board's decision. During the fishing year, the Commission staff monitor the progress of the fishery, and notify the states when closures or other regulatory actions are required; and the states are responsible for taking the necessary implementing action. Regulations continue to be in effect the following year if they have not been changed by the Board.

#### [Addendum VI \(February 2002\)](#)

Establishes possession limits for quarters 2, 3 and 4 of the 2002 fishing season. See addendum for a summary of the 2002 fishing season possession limits, triggers and adjusted possession limits by quarter. It also institutes a system by which the Management Board can set initial possession limits, triggers, and adjusted possession limits for the black sea bass fishery during the annual specification setting process.

#### [Amendment 13 to the Summer Flounder, Scup and Black Sea Bass Fishery Management Plan - Executive Summary \(August 2002\)](#)

The original FMP established an annual process of developing commercial quotas, recreational harvest limits, and recreational and commercial management measures. The FMP also established a series of permitting and reporting requirements. The FMP provides that the annual coastwide commercial quota is divided among four quarters.

#### [Addendum XII \(August 2004\)](#)

This addendum continues the use of a state-by-state allocation system, managed by the ASMFC on an annual coastwide commercial quota. State-specific shares are as follows: Maine and New Hampshire 0.5%, Connecticut 1%, Delaware 5%, New York 7%, Rhode Island, North Carolina and Maryland 11%, Massachusetts 13%, New Jersey, Virginia 20%, and Pennsylvania 0%.

#### [Addendum XIII \(August 2004\)](#)

This addendum modifies the FMP so that, within a given year, TALs for the summer flounder, scup, and/or black sea bass can be specified for up to three years.

#### [Addendum XIX \(August 2007\)](#)

This addendum continues the state-by-state black sea bass commercial management measures, without a sunset clause. This addendum also broadens the descriptions of stock status determination criteria contained within the Summer Flounder, Scup, and Black Sea Bass FMP to allow for greater flexibility in those definitions, while maintaining objective and measurable status determination criteria for identifying when stocks or stock complexes covered by the FMP are overfished. It establishes acceptable categories of peer-review for stock status determination criteria. When these specific peer-review metrics are met and new or updated information is available, the new or revised stock status determination criteria may be incorporated by the Commission directly into the annual management measures for each species.

#### [Addendum XX \(November 2009\)](#)

This addendum sets policies to reconcile quotas overages to address minor inadvertent quota overages. It streamlines the quota transfers process and establishes clear policies and administrative protocols to guide the allocation of transfers from states with underages to states with overages. It also allows for quota transfers to reconcile quota overages after year's end.

#### [Addendum XXI \(March 2011\)](#)

The addendum allows state-by-state or regional management measures for the 2011 black sea bass recreational fishery.

#### [Addendum XXII \(February 2012\)](#)

The addendum allows state-by-state or regional management measures for the 2012 black sea bass recreational fishery.

#### [Addendum XXIII \(February 2013\)](#)

The addendum allows state-by-state or regional management measures for the 2013 black sea bass recreational fishery.

#### [Addendum XXV \(February 2014\)](#)

The addendum allows state-by-state or regional management measures for the 2014 and 2015 black sea bass recreational fishery.

#### [Addendum XXVII \(February 2016\)](#)

The addendum allows state-by-state or regional management measures for the 2016 black sea bass recreational fishery and the option to continue the management approach in 2017.

#### [Addendum XXX \(February 2018\)](#)

The addendum establishes regional allocation of the Recreational Harvest Limit (RHL) for the 2018 black sea bass recreational fishery based on a combination of exploitable biomass and harvest information. It requires regional management measures, with the option for conservation equivalency within regions. The addendum allows the management approach to be extended into 2019. In May 2018, the Board approved revised 2018 recreational measures for the Northern Region states of Massachusetts, Rhode Island, Connecticut and New York. This action was taken in response to an appeal by the Northern Region states arguing the Board's action under Addendum XXX incorrectly applied technical data and was inconsistent with the Summer Flounder, Scup and Black Sea Bass Fishery Management Plan. The revised management program was developed to meet the needs of the Northern Region without impacting the remaining states, while still constraining harvest to the 2018 recreational harvest limit of 3.66 million pounds.

#### [Addendum XXXI \(December 2018\)](#)

Coupled with the Council's complementary Framework Document, this Addendum adds to the suite of tools available for managing summer flounder, scup and black sea bass, and enhances the compatibility of state and federal regulations. First, the joint action modifies the Council and Commission FMPs to allow the use of conservation equivalency for black sea bass recreational management, beginning in 2020. This enables the Board and Council to annually decide whether to enact conservation equivalency, which allows recreational management measures in federal waters measures to be waived and instead requires recreational anglers to

abide by the measures of the state in which they land their catch. Second, the Commission recommended NOAA Fisheries implement transit provisions in Block Island Sound, allowing non-federally permitted recreational and commercial vessels to transit federal waters while in possession of summer flounder, scup, and black sea bass legally harvested from state waters. Lastly, the Council's Framework allows for the use of maximum sizes in addition to minimum sizes, commonly referred to as slot limits, to control catch in the summer flounder and black sea bass recreational fisheries.

#### [Addendum XXXII \(December 2018\)](#)

This Addendum establishes a new process for developing recreational management measures for summer flounder and black sea bass by which measures will be set on an annual basis through a specifications process, rather than addenda. The Board will approve measures in early spring each year, based on technical committee analysis of stock status, resource availability, and harvest estimates. Public input on specifications will be gathered by states through their individual public comment processes. Standards and guiding principles established in the Addendum will structure the development of recreational measures on a regional basis for each species.

#### [Addendum XXXIII \(February 2021\)](#)

Made changes to black sea bass commercial state allocations. Connecticut's baseline allocation increased to 3% of the coastwide quota and New York's baseline allocation increased to 8% of the coastwide quota. This change addressed these two states' disproportionately low allocations compared to the increased availability of black sea bass in state waters of Long Island Sound. State allocations will be calculated by allocating 75% of the coastwide quota according to new, adjusted baseline quotas after the increases to Connecticut and New York. The other 25% of quota will be allocated to three regions (Maine-New York, New Jersey, and Delaware-North Carolina) based on the most recent regional biomass distribution from the stock assessment. The Council approved a complementary amendment (Amendment 23) to include the state specific commercial allocations in the Federal FMP, along with modifications to regulations for federal in-season closures. In August 2023, NOAA Fisheries partially approved Amendment 23, by approving changes to the commercial in-season quota trigger, but disapproved adding the state-by-state quota allocations to the Federal FMP. However, the state-by-state quota allocations for black sea bass remain in effect through the Commission's Addendum XXXIII.

#### [Amendment 22 \(December 2021\)](#)

This amendment made changes to the commercial and recreational sector allocations for summer flounder, scup, and black sea bass. The commercial and recreational sector allocations for black sea bass were revised from 49% commercial and 51% recreational (landings-based) to 45% commercial and 55% recreational (catch-based) to better reflect the current understanding of the historic proportions of catch and landings from these two sectors. The previous allocations were revised to use the same "base years" (the time periods used to set the current allocations), but updated with new data, including the revised estimates of recreational catch

from the Marine Recreational Information Program (MRIP) and changes made to commercial catch data.

#### [Addendum XXXIV \(June 2022\)](#)

Addendum XXXIV and a Council Framework modified the process for setting recreational measures and made minor modifications to the recreational accountability measures. The new process will give greater consideration to stock status when determining whether recreational measures should be restricted, liberalized, or remain unchanged for the upcoming two years. The new process is intended for use starting in 2023 and will sunset no later than the end of 2025 with a goal of implementing an improved process by the beginning of 2026.

#### **Management Program**

Annual Acceptable Biological Catch (ABC) divided into a state-by-state commercial quota (45% of TAL) and recreational harvest limit (55% of TAL).

Commercial state shares are recognized and monitored by the ASMFC (NMFS does not recognize state shares). Baseline state allocations are as follows: Maine and New Hampshire .25%, Connecticut 3%, Delaware 5%, New York 8%, Rhode Island, North Carolina and Maryland 10.68%, Massachusetts 12.62%, New Jersey and Virginia 19.42%. Each state's total quota under the Addendum 33 allocation system is determined by adding together the state's baseline allocation and a regional allocation based on the most recent stock assessment. Specific management measures for the commercial fishery are set by each state, which may include 1) minimum size limits, 2) minimum mesh requirements for trawls or 3) a moratorium on entry into the fishery and closed seasons.

The recreational fishery is currently managed on a regional basis using a combination of minimum size limits, bag limits and fishing seasons to achieve a regional allocation of the recreational harvest limit (RHL). There has been a February recreational black sea bass fishery since 2018, approved annually. States participating in this fishery are required to adjust their recreational management measures to account for their February harvest.

#### **Annual Events:**

- December: Final commercial allocation memo sent to the Board, depending on the release of final landings data.
- TC meets in December/January (before Winter Meeting Week) to evaluate previous year's recreational harvest by state and evaluate estimates of next year's recreational harvest\*. TC members will work individually or regionally, with calls as needed, to make recommendations on how management measures should be adjusted to achieve but not exceed the recreational harvest limit.
- February-March: The Board approves state/regional proposals of recreational management measures.\*

- April-May: This year's state/regional recreational measures approved by the Board are communicated to the NOAA Greater Atlantic Regional Office for their consideration in setting state management measures.
- Compliance reports are due June 1. Prior to next Board Meeting, the PRT reviews the FMP Review which includes any compliance issues.
- Monitoring Committee meets in July to outline recommendations for the upcoming year's fishing regulations including any proposed changes to the minimum fish size, mesh size, escape vent sizes, or other compliance criteria for the commercial fishery, as well as to recommend changes to the quota to account for management uncertainty. The Monitoring Committee forwards recommendations to the Board and Council.\*
- Board and Council meet jointly at the MAFMC August meeting to adopt an ABC, commercial quota, recreational harvest limit, and to set commercial specifications.
- Monitoring Committee meets in November to develop recommendations for the upcoming year's recreational measures, including minimum fish size, season, and possession limit. The Monitoring Committee forwards recommendations to the Board and Council.\*
- Board and Council meet jointly at the MAFMC December meeting to set recreational specifications.

\* With the adoption of Addendum XXXIV, this process now may only occur every two years, after the completion of a management track assessment that provides updated information on specifications. In interim years, the Council and Board review the catch and landings limits compared to the management measures. They may revise the measures in interim years if new data such as a research track stock assessment or other technical reports suggest the measures are not performing as expected or if a change is needed for other reasons.